



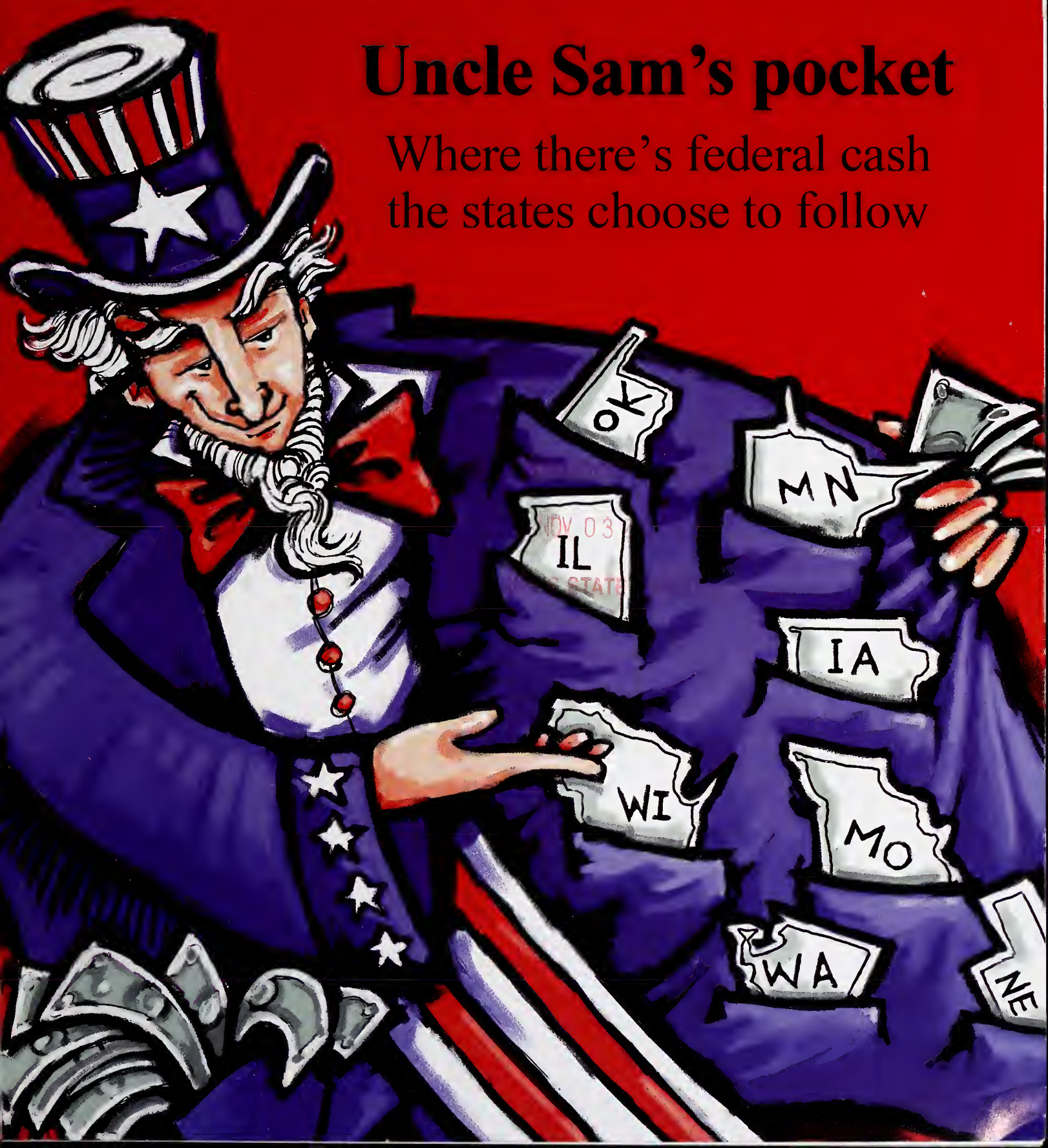
November 2005 \$3.95

Illinois Issues

A publication of the University of Illinois at Springfield

Uncle Sam's pocket

Where there's federal cash
the states choose to follow



The Most Useful Illinois Directory Published!
ORDER TODAY!

Illinois Issues **2005 Roster** of State Government Officials

This 8-1/2 x 11 slick magazine-style roster of state government officials fits neatly into your desk drawer or filing cabinet. Completely updated for 2005, it includes listings for the Governor and all other statewide constitutional officers, as well as major executive agencies and their directors. You'll find all Illinois legislators and their district addresses, phone numbers, fax numbers, e-mail addresses, and Web sites. Also includes the Illinois Supreme Court, the Illinois congressional delegation, media/reporters who cover state government. Plus, hundreds of key staff members who work with these officials.

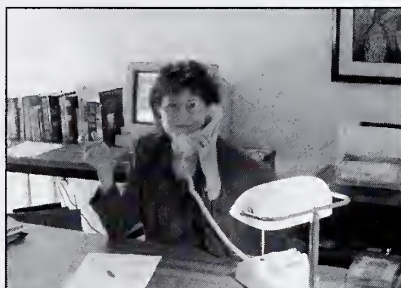


Price list:

1-10 copies @ \$5.50 ea. plus \$3.00 S&H
11-25 copies @ \$4.50 ea. plus \$5.00 S&H
26-50 copies @ \$4.00 ea. plus \$7.00 S&H
100 copies @ \$3.50 ea. plus \$10.00 S&H
250+ copies @ \$2.50 ea. plus \$20.00 S&H

To order call 217/206-6084

Peggy Boyer Long



We should fall through the looking glass

by Peggy Boyer Long

☒ **YES!** I want to subscribe to *Illinois Issues*
for one full year. (11 issues in all) at the special introductory rate of just \$39.95.

My name _____

Address _____

City _____ State _____ Zip _____

Daytime Phone: _____

☐ Payment enclosed Account# _____

☐ Bill me later Exp. date _____

☐ MasterCard Signature _____

☐ VISA For faster service, call 1-800-508-0266.



Illinois Issues, sometimes mistake state
lawmakers for members of Congress
(and vice versa) — and that they often

tell us that.
And why is this?
Several years ago, political scientist

culture resembles nothing so much as
the Mad Hatter's endless tea party.
Is it possible to end this absurdity?

B1105



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL

FIRST CLASS MAIL PERMIT NO. 1901 SPRINGFIELD, IL

POSTAGE WILL BE PAID BY ADDRESSEE

Illinois Issues

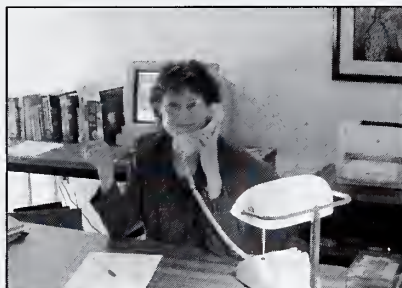
UNIVERSITY OF ILLINOIS AT SPRINGFIELD

PO Box 19243

Springfield IL 62794-9980



Peggy Boyer Long



We should fall through the looking glass

by Peggy Boyer Long

Looking for a political leader? You might try the nearest mirror.

Shortly before he died in 2003, Paul Simon concluded that elected officials are counting on you and me to tell them what to do. His book, *Our Culture of Pandering*, published that year, examined what he called the “harsh reality” of our civic life: leaders who won’t lead.

Politicians, Simon wrote, consider winning more important than the public interest, and spend much of their time testing the winds through polls. In other words, they put considerable energy into trying to understand and please us.

But let’s not flatter ourselves on that point. We should find it discouraging — and not simply for the obvious reasons.

Take another look in that mirror.

It can’t be encouraging to know that a prospective juror in George Ryan’s corruption trial reportedly had at best a vague recollection that the former governor’s troubles were “talked about,” and that afterwards he “disappeared.” Quite mysteriously, it seems.

And it can’t be encouraging that voters, as we have written before in *Illinois Issues*, sometimes mistake state lawmakers for members of Congress (and vice versa) — and that they often

“The harsh reality is that we have slipped into electing leaders who will not lead, officeholders who are zealous to maintain themselves in power, sometimes at the expense of the national interest.”

Paul Simon
Our Culture of Pandering
Southern Illinois University Press
2003

have only the haziest notion of their respective duties.

True, we are exaggerating here for effect. Not all Illinoisans have an inability to discern when and where their elected officials are supposed to show up for work. Not even most Illinoisans. But — and here’s another “harsh reality” — a lot of them do. We don’t need a poll to tell us that.

And why is this?

Several years ago, political scientist

Kent Redfield told the magazine’s editors that experts define Illinois’ political culture as “individualistic.” In this state, he said, politics is “a business to be conducted by professionals.” Or so it’s considered to be, by citizen and politician alike. Redfield, a professor at the University of Illinois at Springfield, has spent a career studying these matters.

It’s only in those presumably more nerdy states, such as Minnesota and Wisconsin, he said, “where the focus is on ‘the common good,’ where politics is valued for its participation, and where participation is seen as ennobling and building the individual” (see *Illinois Issues*, October 1999, page 26).

Well, OK. No question we live in a representative democracy where we have always asked those who are elected to do the hard work. (The dirty work part of this “business” is a matter best left to prosecutors. And they’re doing a bang-up job at it.)

But if we are tossing responsibility for policy deliberations to our elected leaders, and they in turn have taken to tossing it back, then Illinois’ political culture resembles nothing so much as the Mad Hatter’s endless tea party.

Is it possible to end this absurdity?

ADVISORY BOARD

CHAIR

Diana Nelson, executive director, Cross City Campaign for Urban School Reform, Chicago.

VICE CHAIR

Taylor Pensoe, author and president of the board of directors, Illinois Center for the Book, Springfield.

MEMBERS

James M. Banovetz, professor emeritus of public administration, Northern Illinois University, DeKalb.
MarySae Barrett, president, Metropolitan Planning Council, Chicago.

Robert J. Christie, vice president, government relations, Northwestern Memorial Hospital, Chicago.

Darcy Davidsmeyer, director, state government relations, Motorola Inc., Schaumburg.

Kathleen Dunn, vice president, government relations, Illinois Hospital Association.

Jim Edgar, senior fellow, Institute of Government and Public Affairs, University of Illinois.

Sharon Gist Gilliam, chairperson, Chicago Housing Authority.

Lawrence N. Hansen, vice president, Joyce Foundation, Chicago.

Doris B. Holleb, professorial lecturer, University of Chicago.

Jetta Norris Jones, attorney, Chicago.

Robert J. Klaus, president and CEO, Oral Health America, Chicago.

Mike Lawrence, director, Paul Simon Public Policy Institute, Southern Illinois University at Carbondale.

Joan W. Levy, education consultant, Northbrook.

William E. Lowry, vice president for Human Resources and Administration, John D. and Catherine T. MacArthur Foundation, Chicago.

Roberta Lynch, deputy director, American Federation of State, County and Municipal Employees, Chicago.

Jeff Mays, president, Illinois Business Roundtable, Chicago.

Abner J. Mikva, visiting professor of law, University of Chicago.

Laurence J. Msall, president, The Civic Federation, Chicago.

Dawn Clark Netsch, professor of law emeritus, Northwestern University School of Law, Chicago.

Aurie Pennick, executive director, Field Foundation of Illinois, Chicago.

Betsy A. Plank, principal, Betsy Plank Public Relations, Chicago.

Sylvia Paente, director, Metropolitan Chicago Initiative, Institute for Latino Studies, University of Notre Dame.

Philip J. Rock, attorney, Rock, Fusco & Associates, LLC, Chicago.

Anna Eleanor Roosevelt, director, community and education relations, Boeing Co., Chicago.

Chuck Scholtz, former mayor of Quincy.

Paola Wolff, senior executive, Chicago Metropolitan 2020.

EX-OFFICIO MEMBERS

Barbara E. Ferrara, interim executive director, Center for State Policy and Leadership, University of Illinois at Springfield.

Robert F. Rich, director, Institute of Government and Public Affairs, University of Illinois.

FOUNDING MEMBER

Samuel K. Gove, professor emeritus of political science, University of Illinois.

MEMBERS EMERITUS

(years served on board in parentheses)

James L. Fletcher (1983-2000), **David Kenney** (1978-90), **Louis H. Masotti** (1978-92), **James T. Otis** (1975-94), **David J. Paulus** (1988-94), **Carl Shier** (1978-87).

To do so, we would have to fall through the looking glass. Now may be the best time to begin that journey.

This month, *Illinois Issues* considers leadership in its myriad forms, institutional, political and community. So it seems worthwhile to reflect, too, on the challenges of citizen leadership.

Essayist James Krohe Jr., who wrote the overview piece on leadership, suggests that how-to manuals often mislead. With apologies to him, we venture a couple of thoughts anyway.

If our elected officials won't, we will have to learn to think beyond our individual selves to the greater good.

Redfield offered a caveat on that: "In a political culture like ours, 'the public interest' is defined as the aggregate of individual interests. It doesn't exist separately." But, then, who or what

calculates that aggregate? The latest will-o'-the-wisp poll? There's no substance in that. No, each of us will need to consider the greater good — especially when it comes to the so-called pocketbook issues.

And we will need to convince our politicians — take a deep breath — to *trust us* again. That means none of those sudden-death threats on this or that hot-button issue. No more thinking we want one thing, only to change our minds on a whim. Or worse, wanting contrary things at the same time.

No one said democracy would be easy. To be a citizen leader means to take responsibility. Staying informed, of course, is a given. Then maybe we can all look ourselves in the mirror. □

Peggy Boyer Long can be reached at peggyboy@aol.com.

Honors for public service

There are five new members of the Samuel K. Gove Illinois Legislative Internship Hall of Fame.

Richard Dunn, Neil Flynn, Terry Scrogum, Debra Smitley and Clive Topol are the 2005 inductees.

Illinois Issues and the University of Illinois at Springfield's Center for State Policy and Leadership sponsor the Hall, which is named for Sam Gove, one of the magazine's founders and a longtime director of the Illinois legislative internship program.

Members of the Hall were interns at least 10 years ago for one of Illinois' legislative leaders or for the Legislative Research Unit and have had outstanding careers in public service.

They are chosen every other year by a committee created by *Illinois Issues*, and honored at a ceremony at the Executive Mansion.

Richard Dunn teaches political science at Millikin University in Decatur. He worked on the Illinois Senate Republican staff. Dunn was on the staff of the Illinois State Police from 1974 until his retirement in 2004. He was a legislative intern in the class of 1966-67.

Neil Flynn has his own law practice. He has served as chief staff counsel to the Illinois House Democrats. He was a legislative intern in the class of 1976-77.

Terry Scrogum is executive director of the Illinois Arts Council. He was an analyst on the Illinois House Republican staff and a legislative liaison for the Department of Children and Family Services. He was an assistant to Secretary of State Jim Edgar and a special assistant to Edgar when he was governor. Scrogum was a legislative intern in the class of 1974-75.

Debra Smitley is assistant vice president for Finance and Planning at Illinois State University. She served on the Senate Republican staff. She also worked for the Illinois Board of Higher Education, specializing in fiscal affairs and governmental relations. She was a legislative intern in the class of 1979-80.

Clive Topol, a partner in the law firm of Fletcher, Topol, O'Brien & Kasper, has served as legal counsel to the Illinois House Republican staff and as legislative counsel to the Illinois State Bar Association. He was a legislative intern in the class of 1975-76.

The Hall was established in 1990. It now includes 41 members, among them a former governor, several former and current state legislators, and legislative and executive staff members.

Their names are inscribed on a plaque that hangs on the fourth floor of the state Capitol. □

Illinois Issues

ILLINOIS DOCUMENTS

NOV 03 2005

A publication of the University of Illinois at Springfield

November 2005

Volume XXXI, No. 11



Great mystery, page 20



Courtroom drama, page 30



Who has the power? page 26

FEATURES

- 16 **Uncle Sam's pocket** by Pat Guinane
Where there's federal cash, the states choose to follow, losing rights along the way.
- 20 **Essay Great mystery** by James Krohe Jr.
Leadership doesn't derive dependably from personality, or belief, or rank. It isn't inborn, but a gift. A gift from whom? The times, Fate, the stars, the rolled dice.
- 23 **United by faith, separated by race** by Joseph Ryan
Eight charismatic evangelical Christian leaders want to join forces to save souls and serve the poor. But forging this army of God won't be easy.
- 26 **Review essay Who has the power?** by Aaron Chambers
The framers of the Constitution agonized over delegating authority to declare war. The question is still open to debate.
- 30 **Review essay Courtroom drama** by Daniel C. Vock
Do daily proceedings at 26th and California illustrate injustice at the hands of the criminal justice system?

Credits: The illustration on this month's cover was produced by Kathleen Riley Young

DEPARTMENTS

- 3 **EDITOR'S NOTEBOOK**
Through the looking glass
by Peggy Boyer Long
- 6 **STATE OF THE STATE**
Service, not self-help
by Pat Guinane
- 8 **BRIEFLY**
- 33 **PEOPLE**
- 37 **ENDS AND MEANS**
Aboveboard intentions?
by Charles N. Wheeler III

STAFF

Director/Executive Editor, Center Publications
Peggy Boyer Long

MAGAZINE EDITORIAL

Managing Editor: Maureen Foertsch McKinney
Projects Editor: Beverley Scobell
Statehouse Bureau Chief: Pat Guinane
Columnist: Charles N. Wheeler III
Graduate Assistant: Vera Leopold
Editorial Assistant: Debi Edmund

BOOKS EDITORIAL

Associate Editor: Amy Karhliker
Graduate Assistant: Keith Taylor

BUSINESS

Circulation & Marketing Manager: Charlene Lambert
Business Manager: Toni L. Langdon

PRODUCTION

Art Director: Diana L. C. Nelson

Illinois Issues is published by Center Publications
Center for State Policy and Leadership
<http://cspl.uis.edu>

Editorial and business office: HRB 10, University of Illinois at Springfield, One University Plaza, Springfield, IL 62703-5407. Telephone: 217-206-6084. Fax: 217-206-7257. E-mail: illinoisissues@uis.edu. E-mail editor: boyer-long.peggy@uis.edu.
Subscription questions: *Illinois Issues*, Subscription Division, P.O. Box 2795, Springfield, IL 62708-2795 or call 1-800-508-0266. Hours are 8:00 a.m. - 4:30 p.m. Central Time, Monday-Friday (except holidays). **Subscriptions:** \$39.95 one year/ \$72 two years/ \$105 three years; student rate is \$20 a year. Individual copy is \$3.95. Back issue is \$5. *Illinois Issues* is indexed in the PAIS Bulletin and is available electronically on our home page: <http://illinoisissues.uis.edu>. *Illinois Issues* (ISSN 0738-9663) is published monthly, except during the summer when July and August are combined. Periodical postage paid at Springfield, IL, and additional mailing offices.
Postmaster: Send address changes to *Illinois Issues*, Subscription Division, P.O. Box 19243, Springfield, IL 62794-9243.
©2005 by Illinois Issues, University of Illinois at Springfield, One University Plaza, Springfield, IL 62703-5407. All rights reserved. Reproduction in whole or in part without prior written permission is prohibited. *Illinois Issues* is published by the University of Illinois at Springfield. In addition to university support and subscription income, the magazine is supported by grants and donations. The contents of the magazine do not necessarily reflect the views of the university or the donors.

Patrick J. Guinane



Government service isn't supposed to be about helping yourself

by Pat Guinane

To hear him tell it, Scott Fawell never let good government get in the way of politics.

His approach wouldn't be unusual for a high-priced political consultant. The problem is, Fawell has "been on a lot of state payrolls."

And it's hardly a revelation. Much of the first day of testimony in the federal corruption trial of former Gov. George Ryan focused on a faulty firewall between government and politics.

Fawell, Ryan's former chief of staff, is the prosecution's star witness. And he delivered a first-day performance worthy of marquee status. But the headliners are Ryan, a Kankakee Republican, and Larry Warner, a Chicago businessman who benefited from close ties to the former governor and secretary of state.

The questions are whether Ryan went out of his way to see that Warner and other pals were enriched at taxpayer expense, and whether he received illicit rewards from elected office.

Citizens expect their elected leaders to put the public interest first. Politics might run a close second. But government service isn't supposed to be about helping yourself. Over the next few months, a jury will have to decide: Was George Ryan loyal to the public or beholden to a handful of loyalists?

"This is a case about betrayal of the public trust," Assistant U.S. Attorney

*Over the next few months,
a jury will have to decide:
Was George Ryan loyal
to the public or beholden
to a handful of loyalists?*

Zachary Fardon rather succinctly declared in a 90-minute opening statement that wound through a maze of state contracts and leases, ultimately leading to a briar patch of alleged payoffs. Prosecutors hope that, after months of testimony, jurors will follow the same path to guilty verdicts.

They pointed out that before Ryan became secretary of state in 1991, Warner had no interests in government. He then reaped \$3.1 million from state leases and contracts under Ryan. "He gave Larry Warner the keys to the state government kingdom," Fardon told jurors.

In exchange for helping Warner and other insiders, prosecutors say Ryan "lived large," enjoying casino junkets and Caribbean vacations while routinely carrying a "thick wad of cash."

"For over a decade, these defendants

participated in a scheme, a scheme to make money at the expense of the taxpayers," Fardon said, arguing that the parties were too smart to get caught engaging in outright bribery. "This is not," he said, "a case about unsophisticated defendants who stand out in public squares under crystal blue skies and hand each other money."

Meanwhile, Ryan and Warner have retained a team of high-priced defense attorneys who argue that the former governor could have been more circumspect with his inner circle, but certainly didn't commit any crime.

"The government did today what I call cherry picking," Ryan attorney Dan Webb told jurors a few hours after Fardon delivered his stinging rebuke. Warner was Ryan's longtime friend, not a "two-dimensional, comic-book character called 'fixer,'" said Terry Gillespie, who delivered opening remarks for Warner, a Chicago insurance adjuster.

"He didn't get off a park bench in 1991 and get into business," Gillespie told jurors. "His friendship didn't start in 1991, just like his business interest didn't start in 1991."

On a large overhead screen that dominated one corner of the federal courtroom, Webb displayed the Kankakee house Ryan and wife Lura Lynn purchased four decades ago for \$34,000.

If Ryan had been raking in illicit payoffs, Webb asked, how could the modest home be his only asset?

But prosecutors say even the house was entangled in a web of corruption. In a 22-count indictment against Ryan and Warner, prosecutors allege that Warner fronted Ryan the money to put a new roof on the home. The 1996 loan, a portion of which Ryan may have repaid, is among \$167,000 in perks prosecutors say Ryan received. The tainted benefits, they charge, include a \$3,185 check Warner wrote to cover the band at Ryan's daughter's wedding.

Gillespie dismissed that piece of evidence as a "bridal gift, not a bribe."

He applied a similar rationale to \$145,000 in loans Warner made to a failing security business owned by Ryan's brother and \$8,326 in construction work to fix a flooding problem at the home of a Ryan daughter. These and other benefits are why four of six Ryan children have been barred from the courtroom. The prosecution plans to put them on the stand.

While part of the prosecution's case, most of those perks don't feed the perception that Ryan lived large. For that, there was Harry Klein, a Chicago currency exchange mogul who frequently hosted Ryan at his Seven Seas Villa in Montego Bay, Jamaica. The prosecution filled the courtroom's large projection screen with several shots of the resort, including one of a poolside patio.

"We'd sit around that table, drink some Red Stripes, you know, bullshitting," Fawell said, telling prosecutors that was the spot where Ryan told him to write Klein a \$1,000 check for a week-long stay. Free lodging could look bad, Fawell said, because Ryan's secretary of state's office regulated how much Klein's currency exchanges could charge for state license plate stickers. Fawell testified that it was the first of several times he would write a \$1,000 check, and Klein would hand him 10 \$100 bills.

Before becoming governor, Ryan hiked the fee currency exchanges could charge for selling vehicle stickers. It was the only fee Ryan raised in eight years as secretary of state, Fawell testified.

Increasing fees makes for bad press. And Scott Fawell's job was to avoid bad

press. And to run elections. In 1988, Fawell was overseeing George H.W. Bush's presidential campaign in Illinois. Fawell was working 12 or 14 hours a day, seven days a week for the Bush campaign. But that didn't stop him from taking a job with Ryan, who was lieutenant governor at the time.

The prosecution displayed state payroll checks cashed well before Election Day 1988. It wasn't until late January of 1989 that Fawell set foot in Ryan's lieutenant governor's office. His first office task? "I was looking for political talent that I could then use for a campaign," Fawell testified. "I view everything through the eyes of politics."

That is the problem. And the reason why Fawell is serving six and a half years in federal prison for what he blithely described as "racketeering and other assorted misdeeds."

Fawell was good at his job. He helped Ryan win his first term as secretary of state. Then, in 1994, team Ryan "beat [Pat] Quinn like a tom-tom" for a second term, Fawell boasted.

When Ryan ran for governor in 1998, news reports showed that he had raised more than \$1 million from secretary of state employees. Former U.S. Rep. Glenn Poshard, Ryan's Democratic opponent, tried to connect the campaign cash to a licenses-for-bribes scandal at a Libertyville licensing facility. The Ryan campaign dismissed the scandal as an isolated incident, arguing Ryan should not be held accountable for the misdeeds of a few rogue employees.

The Ryan camp expressed outrage when a Poshard TV commercial linked malfeasance in the secretary of state's office to a fiery 1994 accident that killed six Chicago children. A part had fallen off a semitrailer and ruptured the gas tank of their parents' minivan. The truck driver, who spoke no English, allegedly paid a bribe to receive his commercial license from an Illinois secretary of state facility.

The accident launched the federal Operation Safe Road investigation that has led to 79 indictments, including roughly 30 against current or former state employees and state officials. Two of the indictments were Fawell's. He is among

73 individuals convicted since the probe began in 1998.

At first, Fawell remained loyal to Ryan, an interesting position for a man prosecutors say had extramarital affairs with seven or eight women in the dozen years he worked for the state. Fawell wouldn't roll for a chance to reduce his prison sentence.

But these days, his strongest loyalty is to Alexandra "Andrea" Coutrets, Fawell's former assistant and partner in one of those affairs. She's now his fiancée, and Fawell hopes to keep her out of prison.

Coutrets was charged in connection with a bid-rigging scheme prosecutors say took place while Fawell ran McPier. The agency oversees McCormick Place, Chicago's sprawling lakefront convention center, and Navy Pier, one of the city's top tourist attractions. A plum position, the McPier job was a post-election gift from Ryan.

Later, Ryan allegedly convinced Fawell to help lobbyist Ron Swanson land a \$60,000-a-year McPier contract that required no work. Prosecutors say it was one of many instances when Ryan made sure that Swanson — a close associate with nearly unfettered access — made money off state government.

In one case, Fawell said the hallways of a Springfield building were counted as office space so that a lease Swanson was to profit from would look like a better deal for taxpayers. Fawell's chief concern was that Swanson's name be "buried in the paperwork" so "the press wouldn't find him."

Fawell said he had similar worries over deals involving Warner. And, apparently, there were a lot of them. Fawell expressed disbelief when prosecutors said Warner's requests took up only five pages of a massive favors list Fawell compiled while working for Ryan. This list became so cumbersome, Fawell charged subordinates with making regular updates.

This is what taxpayers paid George Ryan's right-hand man to do. But whether the prosecution snares Ryan, citizens have a right to expect better from their elected leaders. □

Pat Guinane can be reached at capitolbureau@aol.com.

BRIEFLY

Giant grass grows into green energy idea

Photograph by Kwame Ross, courtesy of the University of Illinois at Urbana-Champaign

Scientists at the University of Illinois at Urbana-Champaign are advocating use of a new renewable energy source: *Miscanthus x giganteus*, a hybrid grass that grows as tall as 13 feet.

Stems of the plant commonly known as giant miscanthus, elephant grass or E-grass, can be burned for fuel, according to research led by Stephen Long, a professor of crop sciences and plant biology at UIUC. Long recently presented that theory to fellow scientists at the British Association for the Advancement of Science's Festival of Science in Dublin, Ireland.

The perennial grass, which is native to Asia, is a relative of sugarcane. The cool weather plant drops its leaves in winter. The bamboo-like stem can be harvested in early spring for use as a clean, solid fuel, say UIUC researchers who are growing plots of the grass on university land. When the grass is burned, they say, it produces no more carbon dioxide than it removed from the air as it grew.



University of Illinois at Urbana-Champaign doctoral student Emily Heaton is studying giant miscanthus, a hybrid grass UIUC scientists say could be burned as a renewable fuel.

Heat wave boosts cases of West Nile

As of mid-October, Illinois had 218 reported cases of West Nile disease.

The virus, which spreads from birds to humans through infected mosquitoes, also has caused the deaths of seven people in the metropolitan Chicago area and another in downstate McLean County.

Human case numbers are up from 2004 and 2003, when there were 60 and 54 recorded, respectively. Experts say the increase is due to the heat wave the Midwest experienced this summer.

West Nile symptoms include fever, headache and body aches. Seniors are most susceptible.

Vera Leopold

State faces more budget woes

With cash flow slowing to a drip, Comptroller Dan Hynes suggests the state pay a visit to Wall Street or tap a slush fund that's gone untouched for nearly three years.

Hynes wants the state to borrow \$1.1 billion to catch up with a growing backlog of bills, mostly from doctors, hospitals and other firms that provide health care to the poor. His second, less politically palatable option, is to take \$55 million from a bank account earmarked for "member initiatives," essentially pork-barrel projects sponsored by individual legislators.

"That \$55 million should be used to reimburse health care providers who have waited months to be paid for their services or at the very least to offset the cost associated with the short-term borrowing needed to address the state's cash flow difficulties," Hynes said in a written statement released last month.

The backlog of bills has doubled since this time last year. In June 2004, the state took out a one-year loan of \$850 million. At presstime, state Treasurer Judy Baar Topinka signed off on a \$1 billion loan for this year.

Hynes suggested raiding what's left of the pork fund shortly after Blagojevich wrote checks for \$195 million in member initiative projects. The governor froze that funding shortly after taking office in January 2003. On the campaign trail, he lambasted the projects as wasteful spending.

Pat Guinane

For updated news see the *Illinois Issues* Web site at <http://illinoisissues.uis.edu>

COMMUNITY COLLEGES

Competition is stiff for top administrators

Eight of Illinois' 39 community college districts are looking for new leaders, primarily to succeed retirees. Half are in active searches for new presidents, while the others are just beginning the process.

That pressure, and the likelihood that the searches will last a while, creates more intense competition. And this nationwide trend is stretching the pool of potential college presidents thin.

More than 200 community colleges have reported openings in top administrative posts over the past couple of years, says Kent Phillippe, senior research associate at the Washington, D.C.-based American Association of Community Colleges. His group doesn't track by state, but Illinois appears to be above the average for open presidential searches. And though he has no clear data on the reasons for vacancies, "anecdotally," he says, "most are due to retirement."

Phillippe and others who work with community colleges point to the system's history. Illinois just celebrated the 40th anniversary of the Illinois Junior College Act that made local and state money available.

"Most community colleges started in the '60s with new staff," Phillippe says. "Many rose through the ranks to president, and now, with that length of tenure, they are reaching retirement age."

Kent Metzger can attest to that. "It's a tough market," he says. Metzger is heading a search to replace Robert Luther, who has been president of Lake Land College in Mattoon for more than 17 years.

Metzger says he's concerned about so many schools in the state looking for qualified candidates. And that competition is magnified by the possibility that candidates would rather live in a metropolitan district than a rural one.

One slight advantage for Illinois is that the budget for community colleges has not been cut as it has in such states as Texas and Michigan. "We have remained flat-budgeted, nothing especially harsh" during the recent years of cutbacks, says Steve Morse, spokesman for the Illinois Community College Board.

Salaries for community college presidents are competitive with other states, too. The Illinois average is about \$152,000, some \$15,000 a year more than the national average.

However, Naomi Lynn, who has been on both sides of the search process, says salary is rarely the determining factor. Candidates often look to the character and location of a school, she says.

Lynn, who has served as president of Sangamon State University and chancellor of the University of Illinois at Springfield, is co-chair of the search for a new president for Lincoln Land Community College in Springfield.

"The reality is there are seven other schools in Illinois looking for good candidates, and there are a lot of experienced pros reaching retirement at the same time."

Still, Lynn is optimistic a new generation of community college personnel is ready to fill the void. "The fit," she says, "is everything."

Beverley Scobell

PRESIDENTIAL PARK

Work starts in Springfield on last stage of museum complex

Union Square Park, located adjacent to Union Station and west of the library, is projected to be completed by next summer. It will include an open-lawn amphitheater and a Victorian-style garden named for Mary Todd Lincoln. The "front yard" of the library and museum has a budget of nearly \$2.7 million.

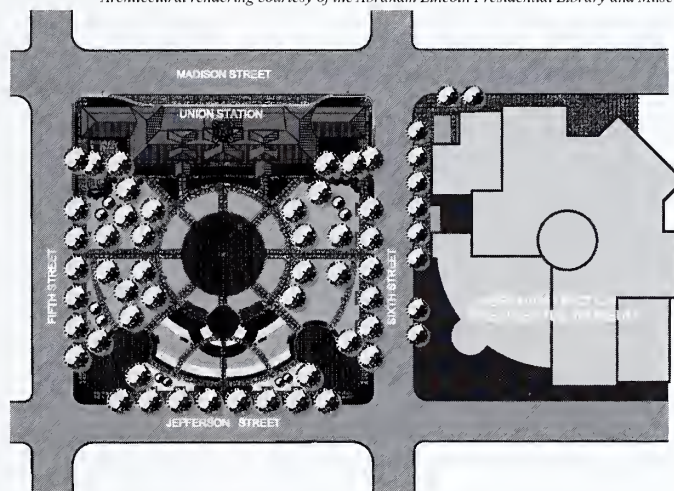
Union Station, built in 1898, will house a visitor's center and office and meeting space after it is completed in the winter of 2007.

Renovations planned for the station include replacing the clay tile roof, installing new windows, plastering and painting.

The main feature of the project will be the re-creation of the original clocktower that was removed in 1946. The 140-foot tower will have four working clock faces.

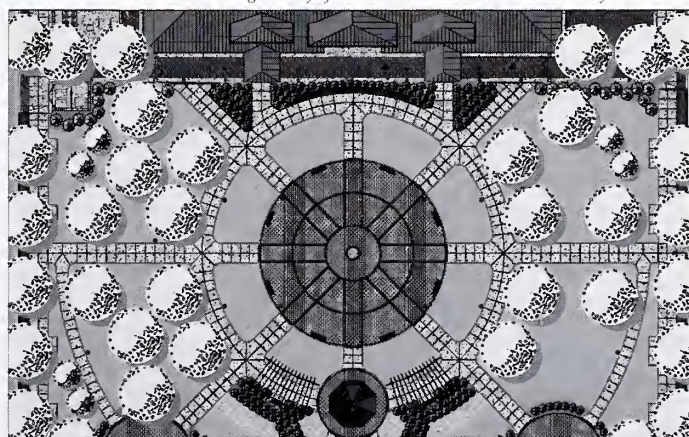
The total budget for the station is nearly \$12.6 million.

Architectural rendering courtesy of the Abraham Lincoln Presidential Library and Museum



This is an architect's rendering of the planned Union Square Park. Work began this fall on the latest addition to the Abraham Lincoln Presidential Library and Museum complex in downtown Springfield.

Architectural rendering courtesy of the Abraham Lincoln Presidential Library and Museum



The main performance area of the planned Union Square Park, the final phase of the library and museum complex

COURT RULINGS



Gambling

The Illinois Supreme Court upheld a 1999 law allowing a floundering East Dubuque casino to move its gambling license to Rosemont.

Still, the September ruling does little to clear the mess surrounding the state's only dormant riverboat casino license. Legal battles, which are marked by allegations of mob ties, have mired the Rosemont move for six years.

These disputes have sapped millions from the suburb and hundreds of millions from state coffers. The state has sought to revoke the casino license — one of only 10 in Illinois — and sell it to the highest bidder. This effort also has moved slowly.



Contraceptives

A Sangamon County judge refused to halt state rules requiring pharmacists to dispense emergency contraceptives despite moral objections.

The contraceptives, marketed as Plan B, can prevent pregnancy if taken within 72 hours of intercourse.

A few pharmacists have refused to dispense these so-called morning-after pills. In response, Gov. Rod Blagojevich filed temporary rules requiring Illinois pharmacists to dispense all federally approved forms of birth control, including Plan B.

The rules have become permanent, but the Sangamon County suit sought a temporary restraining order. That move was rejected in mid-September, shortly after the state filed complaints against three pharmacies that allegedly refused to dispense Plan B.



Fees

The Supreme Court declined to settle a dispute about fee hikes Gov. Rod Blagojevich used to balance his first budget.

The Illinois Chamber of Commerce challenged one of the more than 300 fees Blagojevich increased in 2003. The surcharge on workers' compensation insurance was set artificially high so the proceeds could support other state spending, the chamber argued. *Pat Guinane*

State pays on lapsed leases

More than 200 state leases have expired on Gov. Rod Blagojevich's watch, but his administration continues to pay the nearly \$3.5 million in monthly rent, saying it will take more than a year to determine whether state agencies should sign new contracts or move.

Under state law, the landlords could evict the agencies or double their monthly rents. No landlord has made that demand, though a few have negotiated modest rent hikes, says Gcoff Potter, spokesman for the Department of Central Management Services, CMS for short.

"We are a desirable tenant," he says. "We pay our bills. They know where we are."

CMS was charged with managing most state buildings under a Blagojevich reorganization initiated in 2003. And, for the past six months, the agency has been handling the task on its own.

Previously, the agency had help. Illinois Property Asset Management, a clout-heavy Chicago consortium, was hired to improve oversight of more than 7,000 state-owned buildings and nearly 750 leased properties. But in May, midway through the more than \$30 million three-year agreement, Blagojevich fired the firm for billing taxpayers \$31,000 in questionable expenses, including alcohol, candy and parking at a Chicago Bulls game.

Bruce Washington, CMS's deputy director of property management, told *Illinois Issues* the firm's dismissal did not contribute to the backlog. Before being fired, Illinois Property Asset Management extracted data from every state lease and standardized forms and procedures for future leases. The agency placed a moratorium on new leases while it implemented the protocol. "The idea was, 'Why keep going down the old path?'" Potter says. "We've put in place the tools to really manage our portfolio effectively."

Nearly half of all state leases have expired. These 284 properties account for \$3.46 million in monthly rent, or \$41.6 million a year. All but 68 of the leases have lapsed since Blagojevich took office in January 2003.

Holdovers, as they are called, have been an issue under previous governors, but the number of lapsed leases has never grown this large, says Matt Brown, executive director of the state Procurement Policy Board. Washington told the watchdog panel it will take CMS until January 2007 to evaluate every holdover lease.

Pat Guinane

Governor wants to cover all kids

Gov. Rod Blagojevich wants Illinois to provide health insurance for children whose parents can't afford private coverage but aren't poor enough to qualify for free health care.

"That means they can't see a doctor when they need to, can't get the medicine they need, can't get the care they need. And when they do get medical care, it's often in the emergency room, after a small problem has grown into a big problem," Blagojevich said in a written statement. "Children should have health care and our new program makes affordable, good health care available to every child."

To pay for the \$45 million All Kids program, Blagojevich would require low-income recipients of government health care to enter managed care, meaning, as with an HMO, they would have to choose their doctors and hospitals from a pre-approved list.

In recent years, Senate Republicans have suggested requiring managed care for Medicaid, the joint federal-state program that finances health care for the poor.

Blagojevich says the switch will save \$56 million. He planned to push the initiative during the fall veto session. House Speaker Michael Madigan and Senate President Emil Jones, both Chicago Democrats, expressed support for the proposal.

Blagojevich wants to start the program in July 2006. The administration recently gave a New York firm a \$50,000 no-bid contract to calculate a precise number for uninsured Illinois children. The current estimate is 253,000.

Under the program, parents would pay a monthly premium based on family income. They also would make co-payments for prescriptions and doctor visits. A two-child family with an income between \$40,000 and \$59,000, for instance, would be charged \$40 a month per child with a \$10 co-payment. Such payments would not be charged for immunizations and other preventive-care visits.

Pat Guinane

DINOSAUR HUNTERS

Illinoisans made new dinosaur finds this summer in the rough Montana terrain. Northern Illinois University faculty and students and staff and volunteers at Rockford's Burpee Museum surveyed three sites in the area where they found Jane, the juvenile *Tyrannosaurus rex* the museum restored and put on display in June (see *Illinois Issues*, September, page 12). Two of the sites yielded bones of *Triceratops*, a large horned dinosaur that grew to about 30 feet in length and weighed up to five tons. Bones found at a third site were from an equally large duck-billed dinosaur known as *Edmontosaurus*, a plant eater that lived at about the same time as Jane.

Burpee Museum officials plan to get the necessary permits to further excavate the sites next May and June. Three Rockford residents, amateur fossil hunters who were on the expedition, found one of the *Triceratops* sites where a thighbone, vertebra, several ribs and skull and hip material were unearthed. The museum will invite amateur paleontologists to join next year's "dinosaur discovery adventure."

Photographs courtesy of Northern Illinois University



*Clockwise from top: NIU students Jon Warnock, left, and Joe Peterson study the vista in Montana. Peterson unearths a *Triceratops*' toe bone. A tool gives a sense of the toe bone's size. Expedition members work at the site of the new *Triceratops* discovery.*

UIC prof goes to Africa to study AIDS

Nathan Linsk, a social work professor at the University of Illinois at Chicago, plans to spend much of the 2005-2006 academic year researching HIV/AIDS in Ethiopia.



Linsk, who received a Fulbright grant to fund his research, plans to study care and support patterns for people infected with HIV in the impoverished African nation, where more than 120,000 people have died of AIDS in the past year and at least 2 million are living with the disease.

"I'm particularly interested in medication adherence issues," Linsk says. "I really hope that we can come up with some ways to help the [service] organizations figure out how to allocate the new drugs to people."

Linsk has traveled to Ethiopia five times, but was never able to stay for more than a few weeks. With the Fulbright grant, he will have the time and resources for his project.

"The Fulbright will help me to continue to work with the different groups I've encountered there," he says. "I hope my work will evolve into some additional education programs [about HIV/AIDS] for the organizations."

Through the Fulbright Scholar Program, faculty and professionals receive grants that cover two to nine months for lecturing and conducting research in a foreign country.

Linsk has served as principal investigator of the Midwest AIDS Training and Education Center and has coordinated two symposia on treatment issues relating to HIV. He also has done research and consultation in Estonia, Namibia, Malawi and Romania.

In Ethiopia, he will work with the graduate school of social work at Addis Ababa University and the African AIDS Initiative International.

Vera Leopold

SCENIC BYWAYS

Feds put two Illinois roads on national list

The Illinois River Road and Route 66, two roads that are part of the history and lore of the state, have been designated national scenic byways by the U.S. Department of Transportation.

Listed on the National Scenic Byways Web site, www.byways.org, the roads are actively promoted as tourist destinations by the Federal Highway Administration. The designation also offers eligibility for grant money to pay for construction of visitor centers, landscaping and marketing.

The Illinois River Road, which runs from Ottawa through Peoria to Havana, is known as the Route of the Voyageurs, after the early French explorers. It covers 271 miles and includes much of Routes 26 and 29 on each side of the river. The byway parallels the Illinois River Country Nature Trail, a chain of more than 100 linked nature sites and one of the longest stretches of protected natural areas north of the Shawnee National Forest.

The scenic byways designation means grant money for a proposed visitor center in Havana, which is near The Nature Conservancy's Emiquon restoration project, an effort to turn 7,000 acres of farmland back to shallow lakes and wetlands. Terry Svob, economic development director for the city, says the Illinois River Center would offer a restaurant, lodging with 40 to 60 rooms, conference center space for Spoon River College, a senior center, and a health and fitness center.

Route 66, called the Mother Road by author John Steinbeck, runs from Chicago to Santa Monica, Calif., and covers more than 2,400 miles. The Illinois leg, which was paved in concrete in 1926, is 420 miles long and ends at East St. Louis. Along the way are such iconic stops as Dell Rhea's Chicken Basket in Willowbrook, the newly restored Standard Oil station in Odell, and the Brooks Catsup Bottle water tower in Collinsville.

Grant money also will promote tourism



The sun shines through autumn leaves in a forested area along the river byway near Peoria.

in Pontiac, which last year opened the Route 66 Hall of Fame and Museum. It has drawn more than 10,000 people from more than 40 states and 30 countries to the central Illinois city. Lori Fairfield,

who heads a local economic development group, says, "The Route 66 museum has made Pontiac a tourist destination, not just another downtown."

Beverley Scobell

Photograph by William Brockschmidt



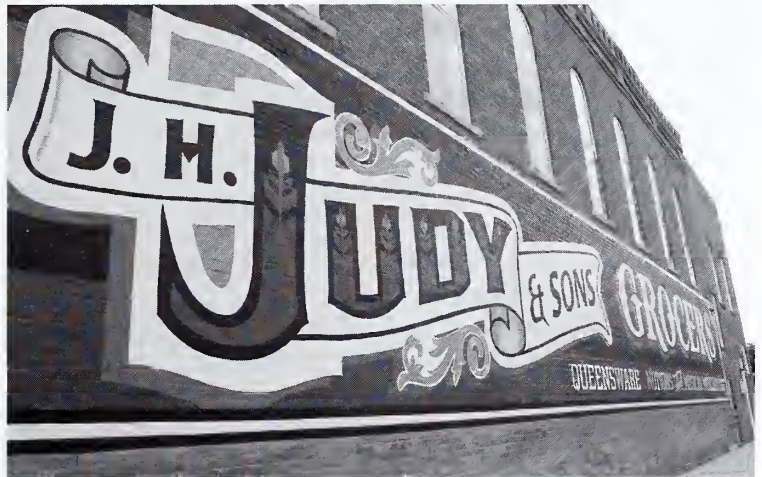
Bikers on the Old Chain of Rocks Bridge on Route 66 get a view of the Mississippi.

Photograph by Ted Lee Eubanks Jr., courtesy of FERMATA Inc.



The Illinois river cruiser dragonfly appears along the river road.

Photograph courtesy of the Illinois Route 66 Heritage Project



Painters restored this historic mural in downtown Atlanta in Logan County.

Photograph by William Brockschmidt



A marker of the 1927 Route 66

Photograph courtesy of the Illinois Department of Natural Resources



The French Canyon Waterfall trickles down a cliff at Starved Rock State Park.

Bison bones rewrite state's prehistory

Bison bones unearthed by archaeologists along the Illinois River south of Peoria have a dramatic story to tell. The first discovery of a bison kill at an Illinois site shows that the animals roamed the Prairie State much earlier than previously thought and that they were hunted and butchered by Native Americans.

"Rarely have archaeologists been given such a clear window into the past," says Alan Harn, archaeologist at the Dickson Mounds Museum.

In western North America, millions of bison were present as much as 10,000 years ago. Creatures of open land, they likely followed the prairie when it later expanded east of the Mississippi River.

Based on other archaeological finds and recorded observations by early French explorers, the animals commonly known as buffalo were believed to have arrived in Illinois around the late 15th century.

"We assumed that this source of food was not available to any aboriginal peoples until shortly before European contact," says Harn. But radiocarbon dating of bones from this latest dig shows that they date from between 265 B.C. and 365 B.C., placing the bison at home on the Illinois range about 1,700 years earlier.

Rick Scott, an amateur archaeologist, found the first bison remains at the site in the mid-1990s when beach erosion started to uncover them. Scientists from the Illinois State and Dickson Mounds museums have been excavating the area off and on since then, river level permitting.

This summer, low water levels due to the drought exposed new bison skeletons and gave archaeologists a better opportunity for excavation. Partial remains of at least eight of the huge, shaggy mammals have been found.

At first, researchers theorized the bison had fallen through the river's ice and drowned. But later evidence suggests they met a more violent end, says Terrance Martin, curator of anthropology at the Illinois State Museum.

When Martin discovered a bison skeleton on the last day of fieldwork in August, he also found a broken stone spearhead embedded between the animal's ribs.

"When we pulled that [spear] point out of the water, I could audibly hear jaws dropping," says Martin, who has helped lead the excavation for 10 years and is now responsible for the study of the remains.

Later examination revealed old cut marks on a rib, meaning the bison's meat might have been sliced off and carried away. The find is puzzling because no bison bones have been found in ancient Native American dwellings or refuse pits dating from that period.

Harn and Martin hope to get enough funding to investigate further. They want to know if and how Native Americans killed the other bison at the site and whether the bison's presence in Illinois more than two millennia ago was a permanent or temporary expansion of their range.

Harn says, "A multitude of questions remain unanswered."

Vera Leopold

Photographs courtesy of the Illinois State Museum



Above left: A human-made cut mark is visible on the bison bone unearthed this summer. At right, the spear point on the rib bone is positioned at the spot it entered the bison's rib cage.

Photograph courtesy of the Illinois State Museum



Terrance Martin, curator of anthropology at the Illinois State Museum, excavates bison ribs at the Illinois River location where he discovered a projectile point. Low water levels this summer exposed several bison skeletons and eased scientists' excavation efforts.

Photograph courtesy of the U.S. Fish and Wildlife Service



Bison no longer roam here as they do at a national range in Montana.

Smithsonian names UIUC as an affiliate

The University of Illinois at Urbana-Champaign is one of the newest members of the Smithsonian Institution's Affiliations Program, which opens access to the museum group's 200 million artifacts, specimens and archival material. In addition to its artifacts, some of them priceless, the Washington, D.C.-based Smithsonian shares its programs and expertise.

UIUC is one of the five universities granted affiliate status; most of the 142 affiliates are museums or cultural centers.

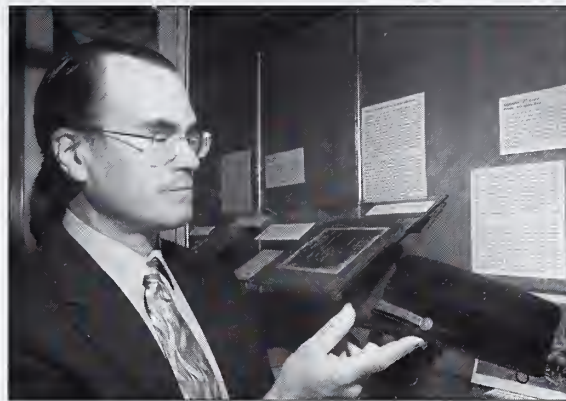
"The internships and fellowships for students are the most crucial part of the program," says Scott Schwartz, who initiated the link and will be the liaison. "It opens up more doors for students to work with some of the nation's great curators, historians and scientists."

Beyond that, the Smithsonian's collection is expected to forge links between the institution and units of UIUC. Schwartz, who is director of the Sousa Archives and Center for American Music at UIUC, plans to take advantage of the affiliation program to bring a Stradivarius violin to the Urbana campus for the November 2006 celebration of American Music Month (for this year's program, see www.library.uiuc.edu/sousa).

The rare instrument will be on display as part of an exhibit and then will be played by the Smithsonian Chamber Players during the month-long festival.

Beverley Scobell

Photograph courtesy of the the University of Illinois at Urbana-Champaign



Scott Schwartz, director of the Sousa Archives and Center for American Music at UIUC, initiated the drive for the university's affiliation with the Smithsonian Institution.

Landmark Chicago store to lose name

Marshall Field's will host holiday shoppers one last season under the name that has been synonymous with the city for 153 years. Next year, shoppers at the downtown Chicago department store will enter a Macy's.

Federated Department Stores Inc. will convert all Marshall Field's stores to Macy's in the fall of 2006. The new owners have said such Field's traditions as the Christmas windows, the Walnut Room and Frango mints will continue. And they OK'd Mayor Richard Daley's move to give the flagship store landmark status and protection.

Marshall Field began selling dry goods before the great 1871 fire, which destroyed his first State Street store.

The 1907 neo-Classical building, designed by D.H. Burnham Co., covers an entire city block.

SIUC team adds detail to Trail of Tears map

A Southern Illinois University Carbondale project to be completed next month will expand knowledge of the Illinois section of the Trail of Tears, the path from Tennessee to Oklahoma that marks the forced removal of about 13,000 Cherokee from their homes in 1838.

Forestry professor John Burde and graduate assistant Karen Frailey, working through a National Park Service grant, researched local libraries, newspapers and family histories to locate the route the Cherokee followed through the three southern counties between the Ohio and Mississippi rivers. Geophysicist Harvey Henson Jr. then used remote sensing equipment to look for unmarked graves.

The researchers identified Campground Church Cemetery east of Anna in Union County as an official point of interest for tourists.

Local lore says German settlers befriended the beleaguered and dying Cherokee camped in southern Illinois during the forced march. Of the more than 8,000 who crossed Illinois, hundreds are believed to have died that winter in camps that had inadequate food, clothing or shelter. They were waiting until ferries could cross the half-frozen Mississippi.

To locate unmarked graves, Henson uses ground-penetrating radar, magnetic gradiometry, soil conductivity and detailed elevation surveying techniques to determine changes in the soil's subsurface. Any movement in soil layers, he says, produces magnetic anomalies showing subsurface disturbance that might indicate an interment. He did not have to disturb graves.

Once the trail is identified, the park service will erect signage and provide printed materials for people following the Trail of Tears. The Illinois section is the shortest piece and the last to be mapped.

Beverley Scobell

ILLINOIS ⚡

ENERGY ⚡

ASSOCIATION

Representing
Investor-Owned Electricity and
Natural Gas Companies
on
Public Policy Issues

1 W. Old State Capitol Plaza
Myers Building, Suite 509
Springfield, Illinois 62701
217/523-7348



Uncle Sam's pocket

Where there's federal cash, the states
choose to follow, losing rights along the way

by Pat Guinane

The classroom, the polling place and now the DMV. Uncle Sam keeps showing up in the most peculiar places.

These unwelcome intrusions onto state turf come under the banner of federalism, the notion that a national policy will reap results across all states.

The states, after all, are responsible for enforcing education standards, overseeing fair elections and issuing driver's licenses. And the feds show little interest in assuming those responsibilities. Instead, they drop a trail of federal dollars, knowing the states have little choice but to follow. It's a time-tested tactic, one that has moved states to reduce highway speed limits and toughen DUI standards rather than risk losing federal transportation funding. But it's somewhat surprising to find that the erosion of states' power has accelerated under this Republican regime.

"In a lot of ways they're just continuing part of the trend we've seen toward increased federal mandating," argues Timothy Conlan. An associate professor of government and politics at George Mason University in Fairfax, Va., Conlan studies the relationship between the federal government and the states. His 1998 book, *From New Federalism to Devolution: Twenty-Five Years of Intergovernmental Reform*, traces a strategy embraced by the nation's conservative leaders. Such directives signal an inherent impatience with waiting for

sound policies to filter up from the states.

With No Child Left Behind, the Help America Vote Act of 2002 and this year's Real ID Act, President George W. Bush has endorsed federal policies that place great responsibility, and often an equally burdensome financial strain, on the states.

"In the past, this is not what we would have expected from, at least the ideology of, Republicans," Conlan says. "It's quite obvious that we've seen, at least since the [President Ronald] Reagan Administration, when the policy goals of Republicans, just as with Democrats, conflict with their abstract beliefs about local control, the temptation is to go ahead and pursue your policy goal."

No Child Left Behind ranks as the best-known and perhaps most overarching Bush Administration mandate. Conceived by the president and adopted by Congress, the 2002 law imposed strict student achievement standards on school districts that accept federal money.

The law asks a lot of state administrators, considering the feds foot less than a 10th of Illinois' annual education tab. The burden, many argue, far exceeds the federal government's financial commitment. In fact, earlier this year, educators from Illinois and nine other states launched a lawsuit against No Child Left Behind. They argue that, nationwide, the federal government has fallen \$27 billion short of supporting the rules and regulations it has imposed,

forcing schools to shortchange other programs.

At best, the intent of No Child Left Behind — improving student achievement — garners tepid applause. At worst, the law is lambasted for the way it has been implemented.

"No Child Left Behind does not symbolize good bureaucratic policy nor educational policy, and I think it will leave a legacy of how not to do things," says state Rep. John Fritchey, a Chicago Democrat who chairs the House Judiciary Committee on Civil Law. "While the stated purpose of NCLB was laudable, I think you would be hard-pressed to find an educator, forget about legislator, but to find an educator who would say that this is accomplishing something good for their students."

The law separates student test scores into subgroups by race, income and English proficiency. Districts must meet annual achievement goals for each subgroup or risk diverting already scarce funds to federally mandated tutoring programs, or toward busing students to better performing schools. In Illinois, the testing subgroups can be as small as 40 students per school.

In some ways, the strategy has paid off, says Ginger Reynolds, interim assistant superintendent for teaching and learning at the State Board of Education.

"It's helped the state and districts and schools really focus in on every kid,"

“The states, within certain parameters, set their voting requirements, their registration requirements, and then they fund those. This is the first time the federal government made federal funds available and, in return, the states had to comply with certain requirements. It’s unprecedented.”

she says. While more diplomatic than Fritchey, Reynolds isn’t ready to declare the policy a success. “I guess it’s probably too early to tell if it has, in a substantial way, increased the quality of education.”

A mountain of paperwork often supplants the independence that these federal directives strip away. In the case of No Child Left Behind, Reynolds says the state must act as traffic controller, fielding questions from the locals while directing an endless flow of documents.

A similar situation arose when Congress decided to push polling places into the 21st century. The Help America Vote Act was aimed at avoiding the 2000 electoral debacle that held the presidential race hostage for two months. Congress and the president allocated federal funds to eradicate punch cards, the ballot form that crippled vote counting in Florida.

But by last year’s presidential election, most of Illinois wasn’t ready to relinquish punch cards. State officials had to get a federal waiver to stick with technology much of Illinois had relied on for more than two decades. Distributing federal election dollars was a new endeavor for the state, and locals still needed time to shop for new voting machines, says Dan White, executive director of the Illinois State Board of Elections.

“It’s been a large administrative undertaking, not only for the state but for the locals as well,” he says. “Generally, these are states’ rights types of things. The states, within certain parameters, set their voting requirements, their registration requirements, and then they fund those. This is the first time the federal government made federal funds available and, in return, the states had to comply with certain requirements. It’s unprecedented.”

It’s also expensive. Though Congress sent the states \$3 billion to upgrade voting equipment, that number fell \$800 million below the original promise. That meant a shortfall of about \$28 million for Illinois, White says. Even if it had delivered the entire \$3.8 billion offering, Congress wouldn’t have come close to financing the complete annihilation of the butterfly ballot. Cities and counties were expected to chip in to cover the full cost of replacing punch cards with touch-screen devices, which resemble ATMs, or optical-scan machines, which

read ovals that voters fill in as they would a standardized test.

Every Illinois polling place will have one touch-screen device up and running for the statewide primary in March, White says. They must, in order to meet federal rules for accommodating voters with disabilities.

Still, with the exception of local election officials, the Help America Vote Act has escaped stinging criticism. The highly polarizing 2000 election put the law on strong footing. And for the populace, voting is a rather sporadic concern. Not so for education, and not so for other federal mandates that are in the works.

“Right now, the one that all state legislators across the country are talking about is No Child Left Behind. But when the Real ID [Act] begins to really bite and change the way the states issue their driver’s licenses, I think that one’s going to rocket to the top,” says state Sen. Steve Rauschenberger. The Elgin Republican, a gubernatorial candidate, serves as president of the National Conference of State Legislatures.

Bipartisan by nature, the nonprofit organization monitors all 50 statehouses and their relationships with the federal government. To that end, the conference publishes monthly monitors on pre-emption and mandates, tracking federal legislation that would sap state control or impose federal requirements. The Real ID Act, an immigration and homeland security-minded effort, requires standardized features on all 50 states’ driver’s licenses.

Signed by President Bush in May, the law has raised rancor in recent months, drawing disparaging comparisons to No Child Left Behind.

“At least in No Child Left Behind, state legislators almost uniformly agree with the goals. They’re not necessarily comfortable with the mandate process or the punitive measures in No Child Left Behind, but they agree with the goals,” Rauschenberger says. “In the case of Real ID, there’s not a set of shared goals. There wasn’t even a set of shared goals in Congress. That bill was attached to an appropriation bill for the war in Iraq.”

It’s true. The measure never even got a committee hearing.

"I guess what's most notable about that is just the level of federal arrogance that was involved. Congress paid very little attention, I think, to the state and local objections and was prepared to largely dismiss them out of hand and just forge ahead," says Conlan, the professor and author. "Admittedly, I think you could make the case for dealing more effectively with issues of immigration control, but to impose those costs and requirements on the state driver's license process is just, again, rather awe-inspiring."

It's expected to take months for the federal government to iron out detailed rules for the Real ID Act. Until then, Illinois won't even guess at a price tag, says Randy Nehrt, spokesman for Secretary of State Jesse White, whose office issues driver's licenses and state ID cards.

While the particulars must be sorted out, states know that, by 2008, they must verify Social Security numbers with the feds and check the authenticity of birth certificates and other identifying documents. Those papers then must be scanned and stored electronically for seven to 10 years. The ID cards themselves must display a driver's full name and include a digital photograph. Illinois already verifies Social Security numbers with the federal government online and uses digital photos.

"I think we're ahead of other states in quite a few aspects, but there are other areas where we'll have to make some changes, both internally and legislatively," Nehrt says. "And they'll involve some additional costs for the state."

It's unclear just how much the new requirements will cost the states. Early this year, the Congressional Budget Office pegged nationwide implementation at \$100 million over five years. Observers argue that estimate borders on delusional. Washington state alone might end up shelling out \$97 million over two years, an official there said this fall.

Real ID was a major topic of debate last August at the National Conference of State Legislatures' annual meeting in Seattle. In addition to equipment purchases, most states will need additional workers to tackle the labor-intensive process of scanning and storing birth certificates and similar documents, says

Cheye Calvo, a senior policy specialist for the national conference. The law also will put an end to online and telephone license renewals, likely forcing California and other states to add front-line staff to handle surging crowds at DMV counters.

At first, the national conference pegged the impact of Real ID on the states at \$500 million, but "the difficulty is estimating how much personnel costs are going to be associated with those varying tasks," Calvo says. "I think the \$500 to \$750 million is probably going to jump into the billions. The question is how high, and we just don't have an answer for that."

Meanwhile, with hurricane relief costs depleting an already taxed treasury, Congress is expected to lowball most other requests. The House OK'd \$100 million for the first year of Real ID implementation, but the final sum will more likely settle near the \$40 million approved by the Senate, says Calvo, who is based in Washington, D.C.

Even if Congress gravitates toward the generous side, states won't see funding until federal bureaucrats finish drafting rules for implementing Real ID. This slow and stingy approach mirrors federal forays into education and elections policy.

In most cases, a mandate is a means to a desired policy end dreamed up by Congress or the president. But, in a bit of a twist, state and federal lawmakers are scrambling to see who will be the first to legislate against a widely unpopular U.S. Supreme Court decision.

In June, the court ruled in *Kelo v. New London* that a Connecticut town could take private land to further private economic development. The 5-4 decision seemingly contradicts widespread sentiment that land grabs should be limited to a public purpose, be it an interstate extension or a new library on a blighted lot. In a July poll, 88 percent of Connecticut voters disagreed with the Supreme Court's interpretation.

Such sentiment moved Congress to craft legislation that would strip funding from states that try to enforce the *Kelo* decision.

And the backlash sparked a response in Illinois. In recent months, state lawmakers have held hearings on eminent domain, or public land acquisition. One

In most cases, a mandate is a means to a desired policy end dreamed up by Congress or the president. But, in a bit of a twist, state and federal lawmakers are scrambling to see who will be the first to legislate against a widely unpopular U.S. Supreme Court decision.

official already has written legislation to block the implications of *Kelo*. But Illinois appears to be covered already.

"I think the *Kelo* decision has generated an improper rush to judgment by a number of Illinois legislators. As far as it applies to Illinois law, *Kelo* is much ado about nothing," says Rep. Fritchey, the chairman of the House committee on civil law. "It's that political unpopularity that has led a lot of legislators to say that the sky is falling."

The Illinois Constitution provides for the taking of private land only for public use. In addition, the Illinois Supreme Court ruled in 2002 that government land acquisition must serve a public purpose. In that case, a state-sanctioned Metro East economic development authority took private land on behalf of a nearby NASCAR racetrack. The authority argued the purchase would reduce traffic congestion, a benefit for the general public. But the court ruled that wasn't a compelling enough reason to end negotiations and simply commandeer private property.

On eminent domain at least, Illinois appears to be insulated from federal intrusion. Still, if the classroom, the polling place and the DMV are no longer off limits, it wouldn't be a surprise if the federal government were to tell the states when they can take your own backyard. □

GREAT MYSTERY

*Leadership doesn't derive dependably from personality,
or belief, or rank. It isn't inborn, but a gift. A gift from whom?
The times, Fate, the stars, the rolled dice*

Essay by James Krohe Jr.

Illustration by Kathleen Riley Young

Ask Amazon.com to list all the books on leadership and there will be 170,000 choices. This suggests that interest in the mystery of leadership is general, and the secret to it has yet to be found. One need read only a few of these books to begin to see why. Leadership does not derive dependably from personality, or belief, or rank. Individuals of both sexes have been leaders, and people of all colors. Black Hawk was the quintessential charismatic leader, as was the late Chicago Mayor Harold Washington. Leadership styles vary, too. President Abraham Lincoln and labor union official John L. Lewis were both strong leaders, but they had little in common beyond a background as Illinoisans, a mastery of rhetoric and a knack for exciting critics to outrage.

The possible permutations of leadership frustrate ambitious attempts at generalization by psychologists, sociologists and the brainier sorts of journalists. The public is even more confused. Any poll on great leaders reveals how widely leadership is confused with popularity, personal courage or association with major events. Similarly, many assume that being a leader and being a winner are the same thing.

It is only in the history books that even a few of the mysteries of leadership can be divined. Such study reveals that many

of the popular assumptions about leaders and leadership — most of which are intoned solemnly by the authors of leadership how-tos — are misleading, if not false.

For example, must a leader be wise? Followers like to think so, indeed need to think so. But history is crammed with leaders who were fools, or deluded, or worse. Consider the Illinois Internal Improvements Act fiasco. A mania for canal- and railroad-building swept the General Assembly in the 1830s and buried the young state under debt that took decades to dig out of. That the state of Illinois emerged from the episode with its government and its reputation intact owed mostly to Gov. Thomas Ford. The legislators who approved the bill were no doubt seen at the time, if only by themselves, as great leaders, men who dreamed and dared, the kind of men Illinois needed to carry it forward. But, as Ford would write, “They as men of intelligence ... ought as well as ourselves, to have foreseen our future want of ability, and the constant catastrophe which our common error has produced.”

Nor does a leader need to be popular, meaning she has her followers (workforce, citizenry, congregation) solidly behind her. It is when public opinion is divided that a leader is needed most

because division renders popular government immobile. Lincoln during the Civil War never had more than a modest majority of people behind him, and, especially in the months before Ulysses Grant and John Wilkes Booth saved his reputation, had been subject to scathing criticism, even from his friends.

Boldness is often assumed to be a trait of the great leader, but boldness alone is not enough. Dan Walker is only a recent example of an Illinois governor who came to Springfield with a vision — essentially of a politics without politics — that he was unable to realize on behalf of his supporters.

A would-be leader need not possess wisdom or universal support, but he must have power or be able to influence power to his ends; not all people in leadership positions may lead, but only they can lead. The strong leader must appear confident. He must be resolute; it is better to believe strongly in what is mistaken than to demonstrate skepticism, or worse, doubt, in the pursuit of the right course. Above all, a leader must not shrink from the fray. “All of the great leaders have had one characteristic in common,” wrote economist and social critic John Kenneth Galbraith. “It was the willingness to confront unequivocally the major anxiety of their people in their time. This, and not

much else, is the essence of leadership.”

The ability to communicate by word or gesture — whatever the wisdom of the message — is essential to persuade others to accept a leader’s purpose. Illinois’ Civil War governor, Richard Yates, for example, did a fine job rallying those already committed to the Union cause behind Lincoln’s government, but, arguably, the man who showed real leadership in Illinois’ Civil War years — not counting the conspicuous contributions of Illinoisans on the battlefield — was John A. Logan. A Murphysboro native, Logan was pro-South before the outbreak of the war. Such was his influence, Unionists feared that if Logan were to go for the South, much of southern Illinois would follow him. After two months of deliberation, Logan announced for the Union cause with a persuasive speech, and Yates was spared a guerrilla war in his own southern counties.

It is the ardent wish of Americans for leaders who are better than they are. Yet they never forgive one who dares to act like it. The French may cherish arrogance, but in this country modesty — or, more precisely, a lack of pretension — is an essential virtue. Americans have little tolerance for politicians who claim to be holier than thou, and even less for those who make too much of being holier than them — “them” being whomever they are running against.

A good American leader, therefore, does not presume to tell her followers how to think, but she often is obliged to explain to them what they think. She articulates values that are inchoate,

thus making them effective, or proposes a course of action — military, economic, social — that will realize those values. This ability to intuit the inchoate needs of the group is often offered as essential to leadership. Richard J. Daley was a leader of this stripe. He didn’t need to ask Chicagoans what they wanted from

their clubs, their charities, their hometowns to an extent unknown abroad. This is where leadership is really needed because it is in the local community that most of the hard work of maintaining society is done. The housewife who organized the fund drive to rebuild the clinic, the editorial writer who

campaigns for a new park, the pastor who, after 20 years, finally convinced the church to admit people of color as a matter of conscience — these are the paragons of democracy, and the names of many of them decorate schools and parks and squares in every town in Illinois. The essence of old-style — pre-Internet and pre-TV — grass-roots political organizing involved identifying and cultivating these opinion leaders, meaning the individuals in the Rotary Club and the church circle and the local unions that everyone else in those organizations respect and listen to. Such people are seldom known outside their hometowns, and too often quickly forgotten in them. Soldiers and cops and firefighters have their monuments in the capital city — someone should build a monument to those who gave their lives for the public good in a different way.

Consider the success of the nation’s megachurches, of which Willow Creek Community Church in the northwest suburbs of Chicago was in many ways the model. They sustain themselves, and their members, through networks of committed believers consisting of tightly knit groups of six or seven who meet in one another’s homes during the week to worship and pray. By some measures, at



City Hall because they were the same things he wanted.

We usually think of leaders in terms of political officeholders. This is partly because they can marshal the resources in emergencies, partly because the press pays attention to them and partly because politicians so often pose as leaders. But leaders often hold no office. Ordinary Americans lead their churches,

On leadership

Leaders should lead as far as they can and then vanish. Their ashes should not choke the fire they have lit.

H. G. Wells

A genuine leader is not a searcher for consensus but a molder of consensus.

Martin Luther King Jr.

Leadership is all about staking your ground ahead of where opinion is and convincing people, not simply following the popular opinion of the moment.

Doris Kearns Goodwin

In real life, the most practical advice for leaders is not to treat pawns like pawns, nor princes like princes, but all persons like persons.

James MacGregor Burns

Leadership consists not in degrees of technique but in traits of character; it requires moral rather than athletic or intellectual effort, and it imposes on both leader and follower alike the burdens of self-restraint.

Lewis Lapham

A leader is best when people barely know he exists. When his work is done, his aim fulfilled, they will say: we did it ourselves.

Lao Tzu

The Editors

least 40 million Americans take part in a religiously based small group of this type.

Much has been made of the fact that these groups are, at least officially, leaderless. No one gets up and makes speeches, no one sets an agenda that the others must follow. But are they really leaderless? The leadership style is informal, colloquial, consensual, that is true, but leaders there are, and these churches train people to act as such. This is a durable type whose parents were our frontier men and women. They, too, were impatient with, or at least ambivalent about, institutions, structures, process and protocol, and were not just willing but eager to play bishop, or king, in their own little realm. "Every man a leader," Huey Long might have said.

History suggests that leaders often do not become leaders because they are great, but become great by leading, and are great only while leading. From their lives we can deduce that greatness is not inborn, but a gift. A gift from whom? The times, Fate, the stars, the rolled dice. Extraordinary times — eras of social confusion, military peril, economic collapse, disasters — often bring out the best in people, including, occasionally, the people in charge.

The late historian Robert P. Howard concluded that perhaps a dozen of the state's governors showed the wisdom, vision and leadership to turn their administrations into what he called "showpieces of good government." All had the opportunity to show their stuff because of public crisis. (Pity the governor whose term coincides with social peace and a fat General Fund, however, for he will never be remembered.) The Civil War was one such crisis, but more often the disasters that have brought Illinois low have been fiscal. Gov. Henry Horner managed to fund relief efforts during the Depression by engineering passage of a sales tax, on which the state would rely to pay its bills for three decades. Gov. Richard Ogilvie staked his administration on modernizing the tax structure in a late-20th century Illinois that was crippled by reliance on a revenue system better suited to the 19th.

But it is not enough to be in the right place at the right time. Not every person in charge during a crisis blossoms into a

wartime FDR. One has to be the right person in the right place at the right time. As University of Illinois at Chicago history professor Melvin Holli has summarized: "There are situations for leaders, and leaders for situations." Richard J. Daley was mayor of a Chicago in crisis in the summer of 1968 and, by virtually every measure, failed to cope with the demands of that moment.

Perhaps it is more to the point to ask not where are the leaders, but are leaders possible? Leadership is not something one does to other people but with them. The most successful organizations — one thinks of the better business corporations and the U.S. military — are those in which a sense of community binds leaders and followers in a web of mutual responsibility. In most instances, however, the terms of the social compact between leader and led is very much unsettled. This is especially true in politics and government. Of all the overlapping realms that make up Illinois, political leadership is scarcest because it is in this realm that shared values are scarcest. There is little common understanding, not only of issues, but of what government is for, of how and for whom it ought to work.

It is hard to imagine how any leader might mobilize a citizenry that, when asked where the true path lies, points in five different directions. While muddle and stalemate may leave us yearning for a strong hand at the top, muddle and stalemate are not proof of the absence of leaders, but of the presence of democracy. □

James Krohe Jr., a veteran commentator on Illinois public issues, is writing a guide to the state's history for the Illinois Humanities Council.



United by faith separated by race

Eight charismatic evangelical Christian leaders want to join forces to save souls and serve the poor. But forging this army of God won't be easy

by Joseph Ryan

In the weeks that followed Hurricane Katrina, the Chicago area's largest Christian evangelical churches amassed an astonishing amount of manpower, cash and goods.

The 20,000-member Willow Creek Community Church raised \$800,000. The South Barrington church also bused 25 volunteers to Waveland, Miss., to help rebuild the Gulf Coast city of 7,000. And every four days, the church deployed another volunteer shift of 25.

Harvest Bible Chapel, a large Rolling Meadows evangelical congregation, adopted Mendenhall, Miss., providing food and shelter for more than 500 families.

Chicago's New Life Community Church, a self-described "Billy Graham in blue jeans" operation, sent several semitrailers packed with supplies to Ocean Springs, Miss., after an evacuee from that town showed up at the South Side church.

These mega-churches share a common faith and a common purpose. Still, what if they could work together?

"We could move mountains," says Wilfredo De'Jesus, senior pastor of New Life Covenant, a mostly Hispanic church in Chicago's Humboldt Park neighbor-

hood. "It would be a picture of heaven on earth."

De'Jesus is one of eight charismatic evangelical Christian leaders in the Chicago area who envision just that. They want to coordinate their massive resources to save souls and serve the poor.

Separately, they've amassed dedicated, growing flocks measured in the tens of thousands. But before their ranks can come together as one army of God, these field generals say they must conquer centuries-old racial barriers.

On Sundays, the pastors pack more than 50,000 worshippers into more than a dozen Chicago-area locations, including several auditorium venues. They employ hundreds of professional staff and can deploy dozens

Photograph by Joseph Ryan



Willow Creek Community Church volunteers helped Waveland, Miss., rebuild.

of buses and at least one jet. They pass collection plates that bring in millions a year, and several can be seen or heard on local media programs.

Together, they suggest, their combined clout and resources can work miracles. Marching under one banner, the Gatekeepers, they could end homelessness, curb gang activity and bolster beleaguered Chicago schools with

computers and outside help.

But coming together is no easy task. Race, social conditions and economic circumstance separate the congregations, hindering a unified mission.

To move those barriers in the coming years, the pastors, many of them authors and accomplished public speakers, will lean on the leadership skills that helped them grow their flocks from a few dozen worshippers to thousands. They say a shared faith will light the way.

Though most don't adhere to any denomination, the churches all practice evangelical Christianity. A belief in Jesus Christ and the Bible drives a fervent soul-saving force that packs pews with more faithful each Sunday.

First on their collective agenda is a



massive Grant Park prayer service to bless the city, a sort of Gatekeepers coming out party and, they hope, a means to present their mission in a positive light.

It's clear achieving such a goal is years away.

That the evangelical leaders didn't immediately turn to one another to bolster Katrina relief efforts illustrates the group's infancy and how much it has left to accomplish.

"This thing is just too new," explains the Rev. Tony Danhelka of Riverwoods Christian Center, a mixed-race congregation in west suburban St. Charles. With the help of 80 local churches, Riverwoods works strictly with poor populations in the western suburbs. The Gatekeepers is Danhelka's brainchild.

"I felt God breathe into my heart that it was time to call the primary influencers of Chicago together," he says. "The names started to come to me, and I started to write these names down."

The leaders first met last December in a small hotel conference room near O'Hare International Airport.

"We are just getting past the 'Who are you?' and 'Can we really work together?'" he says.

The Gatekeepers include Hispanic, black and white congregations. They are led by largely independent, jet-setting preachers, many of whom also operate relief efforts in poor nations around the world.

A few have founded umbrella groups connecting them with hundreds of like-minded churches. For example, John

Eckhardt, leader of the 4,000-member Crusaders Ministries in Chicago, began the IMPACT Network in 1995. Ten years later, he oversees teachings and practices for hundreds of churches across 25 countries.

For Danhelka, rounding up such powerful pastors seemed a daunting task. He didn't know many of them, and the eight had never formally worked together.

"I must confess. I was a little intimidated," Danhelka says. "I mean, why would these people listen to me?"

But since the initial sit-down, executive church members have met every few months, with the most recent face-to-face in mid-September. They realize that, though they are all people of faith, they remain separated by race.

The two largest churches in the group are stark opposites. The 16,000 members of Salem Baptist Church on Chicago's poverty-riddled far South Side are predominantly black. At the other end of the spectrum, Willow Creek's 20,000 members are mostly white and affluent.

Skin color symbolizes larger social barriers, says Michael Emerson, a sociology professor at Rice University in Houston and co-author of *Divided by Faith: Evangelical Religion and the Problem of Race in America*.

"When they try to get together it is very difficult," Emerson says. "They have different cultures, different ways of doing things and approaching things. It is like a complete chasm."

Services at Salem Baptist are noisy, rowdy affairs with dancing, moving gospel music and hours of sweaty preaching.

Willow Creek affairs are subdued, with services consisting of comparatively soft-spoken sermons, plays and contemporary Christian music.

The focus also differs. Salem Baptist plans to register 200,000 voters. And the Rev. James Meeks vows to use his church's political muscle to push for an independent Chicago police review board. That decision came after an internal department review cleared a white officer who shouted and pointed his gun at Meeks during a July traffic stop.

Willow Creek, on the other hand, focuses much of its resources on alleviating poverty in far-flung developing nations.

The leaders of these two mega-churches have been working for the past year to bring their congregations together. Danhelka sees it as the first step toward resolving the differences that divide the Gatekeepers.

Meeks, an Independent state senator and heir-apparent to the Rev. Jesse Jackson's Rainbow/PUSH Coalition, and the Rev. Bill Hybels, senior pastor at Willow Creek and spiritual adviser to Presidents Bill Clinton and George W. Bush, have become fast friends.

Perhaps the most public outgrowth of that relationship occurred in June when 25 midlevel leaders from each church took a bus trip to the South to visit Civil Rights sites. The trip was aimed at getting representatives of the two churches to bond and to discuss further collaboration on social justice issues, including affordable housing and inner-city poverty.

At Brown Chapel AME Church in Selma, Ala., Meeks spoke to the racially mixed travelers about their biggest difference. "There are a lot of white folks who believe the church has no business talking about public policy issues," Meeks said, his words echoing through the church where the Rev. Martin Luther King Jr. rallied supporters for a landmark 1965 voter rights march.

"There is a fundamental divide between us here on that," Meeks continued. "We diverge socially and politically."

Meeks and Hybels expressed a desire to bridge that divide.

Hybels said he read Emerson's book several years ago, and it "wrecked" him. He was disturbed by the sharp differences between white and black churches of the same faith. He said he began speaking about social justice issues from the stage at his South Barrington church. He admitted some white members are baffled, but black suburbanites have started joining the congregation.

"And every time since [that] I have spoken about [social justice], there is another group of people of diversity who meet me after services and say, 'Now, I'm in,'" he told the travelers at Brown Chapel.

Beyond the public efforts of these two churches, other Gatekeepers congregations have been ratcheting up their interaction. This summer, De'Jesus' church branched out in the city and suburbs. Leaders from New Covenant met several times with Salem Baptist leaders. De'Jesus also made a trek to Harvest Bible Chapel in Rolling Meadows, a racially mixed congregation in the predominantly wealthy and white suburbs. In early November, De'Jesus plans to close his church one Sunday and invite his 1,700 members to attend a joint service at the 10,000-seat arena that Salem Baptist christened in July.

"This is something we have all been preaching," he says. "It is said, 'Sunday is the most segregated day.' And that is not how it is supposed to be. We are trying to change that."

Hispanic churches like De'Jesus' could play a key role in recruiting the predominantly white and black congregations to the same goals. Hispanics, as a general rule, are a "bridge constituency" between whites and blacks, says R. Stephen Warner, a sociology professor on religion at the University of Illinois

at Chicago. Hispanics, he argues, are more accustomed to working with people of many races and don't have as polarizing a history with either whites or blacks.

Danhelka, the other pastors and Emerson see these largely symbolic efforts as a good first start.

Emerson, in particular, is encouraged by the promise of what real cooperation between such massive and powerful churches could accomplish toward healing racial strife.

"Socially, the division between racial groups happens in housing, it happens in employment and religion is a major one," he says. If Gatekeepers works, "you are tearing down a huge structure that divides black and white in our country. And that should facilitate a lot more relationships, and form a lot more trust and understanding."

A white corporate bigwig attending Willow Creek, for instance, may be more willing to set up stores on Chicago's South Side or hire blacks if he gets to know them through his church.

While hopeful, Emerson is cautious.

This has been tried before. In the early 1900s, Pentecostal worshippers of all colors made an effort to get together, but, over time, that effort fell apart because of racism. In the 1950s and 1960s, white and black churches cooperated on civil rights, but white churches largely abandoned the cause in the latter stages of the movement.

As for now, Gatekeepers is more concept than cooperation.

"You just wonder if you will ever get past the talking stage," Emerson says.

Those involved say the breadth of what Gatekeepers plans to do, starting with a joint mass and leading to cooperation on social justice causes, will take years of symbolic and meaningful steps. But, they stress, that day will come.

"The biggest obstacles will be ourselves," De'Jesus says. "It is not the resources or the buildings or the money. It is, 'Can we continue to plow away and break this wall?' We are doing it. We are trying to build a relationship that will have a foundation. It is not just for one event. Building those kinds of relationships takes time." □

Joseph Ryan is a staff reporter for the Daily Herald based in Arlington Heights. He covers Hoffman Estates.

Gatekeepers

Crusaders Ministries

Pastor: The Rev. John Eckhardt

Location: Chicago

Congregation: 4,000

Harvest Bible Chapel

Pastor: The Rev. James McDonald

Location: Rolling Meadows, satellite sites in Elgin and Niles

Congregation: 14,000

Moody Church

Pastor: The Rev. Erwin Lutzker

Location: Chicago's Lincoln Park neighborhood

Congregation: 1,800

New Life Community Church

Pastor: The Rev. Mark Jobe

Location: Seven Chicago sites and Melrose Park, Palos Heights, Cicero

Congregation: 2,300

New Life Covenant

Pastor: The Rev. Wilfredo De'Jesus

Location: Chicago's Humboldt Park neighborhood

Congregation: 1,700

Salem Baptist Church

Pastor: The Rev. James Meeks

Location: Chicago's South Side

Congregation: 16,000

Wheaton Christian Center

Pastor: The Rev. Carlton Arthurs

Location: Carol Stream, Aurora and Bolingbrook

Congregation: 800

Willow Creek Community Church

Pastor: The Rev. Bill Hybels

Location: South Barrington, satellite sites in the North Shore, Wheaton and McHenry County

Congregation: 20,000

Joseph Ryan

WHO HAS THE POWER?

The framers of the Constitution agonized over delegating authority to declare war. The question is still open to debate

Review essay by Aaron Chambers

PRESIDENTIAL WAR POWER

Louis Fisher

University Press of Kansas, 2004

WAR POWERS: HOW THE IMPERIAL PRESIDENCY HIJACKED THE CONSTITUTION

Peter Irons

Metropolitan Books, Henry Holt and Company, 2005

In February 2003, as the United States prepared for war with Iraq, a coalition of soldiers, parents of soldiers and law-makers went to court and challenged the impending war as unconstitutional. The U.S. Constitution vests in Congress the "power to declare war," and the plaintiffs argued the war would be unconstitutional because Congress had made no such declaration.

The plaintiffs, including U.S. Rep. Jesse Jackson Jr., a Chicago Democrat, charged that it would "cause irreparable harm to the plaintiff soldiers and parents of soldiers, including, but not limited to, death, loss of family members, serious injury, and psychological trauma associated with the horrors of war." As to the lawmakers, the complaint said they, too, would be caused irreparable harm because they "will be denied their constitutional right on whether or not to declare war."

The plaintiffs asked the district court in Massachusetts to enjoin President George W. Bush and Donald Rumsfeld, his secretary of defense, from waging war without a congressional declaration. Yet, as with previous legal challenges that coincided with similarly undeclared wars, this one was unsuccessful.

The U.S. Department of Justice argued the judiciary had no business intervening because the political branches were in

agreement — though Congress did not declare war against Iraq, it had authorized Bush to use military force if "necessary and appropriate." The district court sided with the government, dismissing the suit as not ripe for review. The U.S. Court of Appeals, First Circuit, upheld that decision and declined to stand in the way of war. It said too many questions remained unanswered about whether there would be a war and under what conditions.

"If courts may ever decide whether military action contravenes congressional authority, they surely cannot do so unless and until the available facts make it possible to define the issues with clarity," the court wrote in its opinion.

Thus continued the perennial debate over war power. The framers of the Constitution agonized over the delegation of this power and went out of their way to divide the instruments of war between the executive and legislative branches of government. They held a deep skepticism about the potential for abuse by the chief executive, and they opted against reproducing the English model, which vested in the king the power to trigger war. The framers also were careful to separate the purse from the sword by expressly granting to Congress the power of appropriation.

Besides the power to declare war,

Congress enjoys the power to "raise and support armies" through appropriations of up to two years to "provide and maintain a navy," and to "make rules for the government and regulation of the land and naval forces." The president, under the Constitution, serves as "commander in chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States."

James Madison, who spearheaded the effort to draft the Constitution, remarked, "In no part of the constitution is more wisdom to be found than in the clause which confides the question of war or peace to the legislature, and not to the executive department." He said those who conduct war — presidents — "cannot in the nature of things, be proper or safe judges, whether a war ought to be commenced, continued or concluded."

But the constitutional division of war power has led to constant, if inevitable, conflict. The terms may sound clear, but as a practical matter they have proved to be ambiguous. As two new books make clear, the interpretation of these terms and, by extension, the division of war power, has depended on human variables: the individual president's style, the willingness of Congress to challenge the president, and the willingness of

federal courts to intervene. Above all, the division of power has rested on how each of these parties defines war and their roles in effecting it.

In *Presidential War Power*, a book whose second edition was published in 2004, Louis Fisher takes an exhaustive look at the history of war power in the United States. Fisher, who studies the separation of powers for the Congressional Research Service of the Library of Congress, begins his chronological tour with an examination of the framers' deliberations over war-related provisions in the Constitution. He proceeds through all the presidents and their military forays and ends with a detailed look at the tenures of former President Bill Clinton and the current President Bush.

Peter Irons, an emeritus political science professor at the University of California at San Diego, performs the same survey in *War Powers: How the Imperial Presidency Hijacked the Constitution*, a book published this year.

Both authors describe how the framers were clear in their belief that the president ought to largely yield to Congress in matters of war making. And both present the case that the balance of power has drifted, gradually but firmly, in favor of the president and away from Congress.

Fisher and Irons argue the framers designed the Constitution to allow the president to repel attacks against the United States or its troops without a declaration of war — but that his discretion stops there. “The president never received a general power to deploy troops whenever and wherever he thought best, and the framers did not authorize him to take the country into full-scale war or to mount an offensive attack against another nation,” Fisher writes.

The first few acts of war following the implementation of the Constitution in 1787 largely were consistent with the premise that the president must defer to Congress before waging war. But it wasn't long before presidents sought to act on their own. In fact, though the United States has used military force on more than 200

occasions, Congress has declared war in only five instances: the War of 1812, the Mexican-American War, the Spanish-American War, World War I and World War II.

Reasons for war varied from one presidential administration to another. So, too, did the positions of Congress — often left to weigh in after the fact — and

bombarded the Nicaraguan port of Greytown after the locals refused to apologize for supposedly insulting an American diplomat. The locals reportedly also seized American property. Fisher and Irons explain that President Franklin Pierce reported the incident to Congress as an appropriate response to an “offending town” that had been duly warned.

As it happened, litigation brought by an American resident of Greytown against the United States led to an opinion that still resonates. A federal circuit court in New York rejected the plaintiff's claim and ruled the president had a duty to protect “the lives or property” of citizens living abroad. According to Irons, Clinton and Bush cited this opinion as legal justification for military incursions in Somalia and Iraq.

In 1861, President Abraham Lincoln called up state militias, imposed

a blockade on rebellious states and suspended the writ of *habeas corpus* — the constitutional right of prisoners to contest detention in court — at the onset of the Civil War. Congress was in recess and didn't authorize his actions, but later approved legislation retroactively validating Lincoln's proclamations.

Though Lincoln, a Springfield Republican, appeared to step beyond the bounds of his constitutional power, Fisher argued that it's important to recognize Lincoln's after-the-fact deferral to Congress. He writes that Lincoln “invoked each stage of the executive prerogative: acting in the absence of law and sometimes against it; explaining to the legislature what he had done, and why; and requesting the legislative body to authorize his actions.”

As this nation's economic ambitions boomed in the 20th century, so, too, did military conflicts. The Monroe Doctrine remained in the early part of the century a guiding principle for U.S. security on this side of the world. Then President Theodore Roosevelt took it a great, proactive step further: He announced in 1904 that the United States would police the western hemisphere. In other words,

Photograph by Staff Sgt. Aaron Allmon II, courtesy of the U.S. Air Force



Senior Master Sgt. Tim Tyvan, an airman in the 116th Air Support Operations Squadron, patrolled last April at the Balad Air Base in Iraq.

the federal courts. Presidents, in turn, manipulated those precedents to meet their own agendas.

In 1823, President James Monroe announced that the United States would regard as “dangerous to our peace and safety” any attempt by a European nation to expand its territory on the American continents. This noninterference policy became known as the Monroe Doctrine. But significantly, the authors note, Monroe did not claim the authority to enforce it with unilateral action.

Two decades later, in a case that foreshadowed other peculiar rationales for war, President James Polk waged war against Mexico after failing to persuade that country to sell New Mexico and California. After winning the land in a war declared by Congress, the United States compensated Mexico with \$15 million. And when Polk later submitted a peace treaty to Congress, he remarked that the land was of “little value” to Mexico anyway.

As Fisher notes, “That line of argument would be used in subsequent decades by American presidents to intervene in neighboring countries.”

In 1854, the American warship *Cyane*

***Federal courts historically
have been reluctant
to second-guess the military
actions of presidents,
especially when Congress
does not act at odds with the
president over such an action.***

he asserted the right to use force to keep the Europeans out.

"If a nation shows that it knows how to act with reasonable efficiency and decency in social and political matters, if it keeps order and pays its obligations, it need fear no interference from the United States," Roosevelt told Congress. "Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation, and in the Western Hemisphere the adherence of the United States to the Monroe Doctrine may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power."

Roosevelt engineered Panama's rebellion against Colombia and oversaw construction of the Panama Canal — a strategic shortcut between the Atlantic and Pacific oceans. The U.S. military expanded its presence into the Dominican Republic, Haiti and Nicaragua, which they occupied for three decades.

Of course, presidents throughout the 20th century continued to assert America's supposedly inherent police powers. When President Ronald Reagan sent troops into Grenada in 1983, he presented the action as an attempt to protect the lives of U.S. citizens and bring order to the island.

Development of the United Nations in the 1940s and, subsequently, the North Atlantic Treaty Organization, added another layer of separation between the president and Congress as presidents such as Bill Clinton waged war through the operations of those umbrella groups — and without the consent of Congress.

Indeed, Fisher and Irons depict Clinton

as a particularly egregious violator of constitutional checks on executive war power. As Fisher put it, "Clinton's military initiatives were remarkable both for their frequency and the absence of any institutional checks, either legislative or judicial."

Yet the presidency of George W. Bush, who campaigned in 2000 against so-called nation building, poses perhaps the greatest concern for the authors. They argue that Bush's concept of pre-emption — the use of force against a nation that may someday pose an immediate threat, particularly in the context of the abstract war on terror — puts other nations at great risk of unchecked aggression.

"We will cooperate with other nations to deny, contain, and curtail our enemies' efforts to acquire dangerous technologies," Bush wrote in a White House document titled *The National Security Strategy of the United States of America*. "And, as a matter of common sense and self-defense, America will act against such emerging threats before they are fully formed. We cannot defend America and our friends by hoping for the best."

In the 2003 legal challenge to the Iraq war, the First Circuit appeals court avoided entering into a detailed analysis of the Bush Administration's actions. The court said that "courts are rightly hesitant to second-guess the form or means by which the coequal political branches choose to exercise their textually committed constitutional powers."

Federal courts historically have been reluctant to second-guess the military actions of presidents, especially when Congress does not act at odds with the president over such an action. Moreover, federal courts often have interpreted congressional action such as appropriations for a war effort as "authorization" — though not a declaration — of war.

As the world changed — along with America's interest in it — so, too, did interpretations of constitutional delegation of war power. In its report, the 9/11 Commission noted that few debates have been as contested since the nation's founding as the one over executive versus legislative powers. The commission, which included former Republican Gov. James R. Thompson, said the most serious question has centered on whether the president needs congressional

authorization to wage war.

"The current status of that debate seems to have settled into a recognition that a president can deploy military forces for small and limited operations, but needs at least congressional support if not explicit authorization for large and more open-ended military operations," the commission reported.

Even in Congress, the distinction between declaration and authorization appears to be blurred occasionally. In September 2002, as Congress debated the White House's request for authorization of war, U.S. Sen. Joseph Biden Jr. made a remarkable observation in the course of complaining about the Bush Administration's push for the authorization.

"The irony is we're being asked to vote on a declaration of war before that criteria's set," said Biden, a Delaware Democrat who was chairman of the Senate Committee on Foreign Relations. "For make no mistake, although I am only an adjunct professor of constitutional law, this area I know. A resolution authorizing the use of force has the same exact force as a declaration of war."

But Fisher and Irons argue the distinction is significant. Irons argues that "absent a sudden attack on American soil by troops or planes — or even nuclear missiles — of a foreign state, a military response to any other provocation should await the deliberations of Congress, and debate over a formal declaration of war."

Both authors reject the notion, advanced by proponents of executive independence in war making, that a more complicated world warrants more discretion for the president.

"If the current risk to national security is great, so is the risk of presidential miscalculation and aggrandizement — all the more reason for insisting that military decisions be thoroughly examined and approved by Congress," Fisher concludes. "Contemporary presidential judgments need more, not less, scrutiny."

Irons ends his book on an especially alarmist note.

"During Bush's second term, national security planners in both the White House and Pentagon are expected to rely for guidance on the Bush Doctrine of pre-emptive war, which allows the president to send troops into any country, and even overthrow governments, on whatever



Air Force Senior Airman Jared Peitras and Air Force Tech. Sgt. Mark Harris search in Iraq for a weapons cache.

pretext he offers,” he writes. “Never before has the planet faced a worldwide ‘marshal’ with such a massive arsenal at his disposal and with no institution, domestic or international, willing or able to restrain him.”

Both authors blame Congress for relinquishing its power to the president. They conclude that Congress must reassert itself by forcing onto the president the burden to seek congressional authority. Just as Congress brought the war in Vietnam to an end by limiting President Richard Nixon’s spending authority, they say Congress could rein in presidential power by limiting or by restricting spending.

Certainly, some lawmakers believe it’s prudent to stand by the president in the face of war in order to project a single, consistent message to other nations. In 1995, as Clinton dispatched ground troops to Bosnia, the U.S. Senate passed a measure expressing the chamber’s concern with that move. But U.S. Sen. Paul Simon, the late Makanda Democrat, opposed the measure, even though it wasn’t binding. “We cannot have effective foreign policy if Congress micromanages it,” he said.

On the other hand, the 9/11 Commission said Congress was simply slow to respond to the threat of terrorism. The commission portrayed the body as asleep at the switch

when it came time for war. It said Congress “adjusted little and did not restructure itself to address changing threats” and that it “had a distinct tendency to push questions of emerging national security threats off its own plate, leaving them for others to consider.”

Congress has in the past asserted itself by limiting the president’s spending authority with regard to particular military actions or by otherwise limiting the executive branch’s discretion. But in the case of Iraq, Congress has not moved to force Bush away from war. Irons noted that U.S. Sen. John Kerry, the Massachusetts Democrat who challenged Bush in the 2004 election, did not even use his campaign to contest Bush’s “imperial vision of presidential power.”

In March 2003, as the Senate prepared to vote on a resolution supporting the president, U.S. Sen. Richard Durbin, a Springfield Democrat, said there was no doubt Congress would “stand with the president” and provide sufficient funds to wage the war. The resolution passed the chamber unanimously.

“When the first shot is fired, the political debate should start to take a back seat to our solidarity and commitment to standing behind these men and women who have their lives on the line,” Durbin said. “We

hope this conflict is short lived, that it is successful, and that they come home safe with their mission accomplished.”

And in May, two years and two months later, Congress agreed to spend another \$75.9 billion for military operations in Iraq and Afghanistan. That vote — the U.S. Senate’s support was unanimous, while the U.S. House’s support was overwhelming — hiked the estimated cost of the nation’s war on terror to more than \$300 billion since 2001.

“Every day in Iraq and Afghanistan, the men and women of the U.S. Armed Forces risk their lives to defend ours,” U.S. Sen. Barack Obama, a Chicago Democrat, said during debate. “They are completing a mission they did not ask for and, in Iraq, a mission that is longer and more dangerous than they were ever told. Yet amid roadside explosions, insurgent attacks, and the loss of some of their closest friends, they wake up each day and do their jobs. They wake up each day and do whatever it takes to leave a democratic Iraq for a free Iraqi people.”

In the absence of dissent from the other branches, the president may look — and act — beyond the constitutional constraints on war.

Aaron Chambers is Statehouse bureau chief for the Rockford Register Star.

COURTROOM DRAMA

Do daily proceedings at 26th and California illustrate injustice at the hands of the criminal justice system?

Review essay by Daniel C. Vock

COURTROOM 302

A Year Behind the Scenes in an American Criminal Courthouse

Steve Bogira

Knopf, 2005

A human face and a tale of tragedy — or near tragedy — can invigorate reform movements that have languished in obscurity for decades.

Take the near-execution of Anthony Porter, a mentally retarded Death Row inmate who came within 48 hours of lethal injection in 1998. The discovery that he was, in fact, innocent outraged Illinois citizens and galvanized death penalty reformers.

Porter avoided death because his lawyers asked — and prosecutors agreed — to take more time to evaluate his mental capacity. He walked free after nearly 16 years on Death Row only because Northwestern University journalism students unraveled the case against him. A private investigator they worked with convinced the real culprit to confess on tape.

Dramatic. Tragic. The storyline is easy to digest, but its implications are hard to swallow. While Porter sat in Cook County Jail awaiting a new fitness hearing, thousands of his fellow inmates marched through those criminal courts. Very few, in all likelihood, were innocent like Porter.

Still, Chicago journalist Steve Bogira, in a chronicle of dozens of cases that passed through one criminal courtroom at 26th and California, the main felony courthouse in Cook County, argues that

they, too, suffered injustice at the hands of the legal system.

His book, *Courtroom 302*, released earlier this year, examines the everyday activity in a trial court: the wisecracks of the bailiffs, the insights of the judge, the strategies of the lawyers, the habits of the press and the life stories of the defendants.

Bogira concludes that the criminal justice system is an institution that can be callous, inflexible and efficiency-oriented despite the best efforts and good intentions of most people who work there.

“The system is run by people,” Bogira writes, “but, as with many systems, it often seems the other way around. The courtroom staff works as it must, reflexively, not reflectively. The workers have no time to give much thought to any but the most extraordinary case, or to examine what they are doing.”

The focus on efficiency often short-changes defendants, especially those charged with minor crimes, he writes. Where they might succeed at trial, few even bother. Most are too poor to hire their own lawyer, and the public defenders assigned to them represent so many clients they barely have time to talk to them.

“The time devoted to considering whether [defendants] actually did what they’re accused of and, if so, what

should be done about it will be dwarfed in most instances by the time spent on procedural matters, such as determining what sentence might induce their guilty plea,” Bogira writes.

He tells of one defendant, a 44-year-old trying to beat a cocaine addiction, who wanted to undergo rehabilitation. The normally sympathetic Circuit Judge Daniel Locallo thought he’d do better in boot camp.

Kathryn Lisco, the attorney representing Larry Bates, persisted. She told Locallo that Bates was too old for the county’s boot camp program. Lisco pointed out that Bates suffered from depression, information gleaned from a 10-minute interview she had with Bates. Eventually, Locallo relented.

What neither Locallo nor Lisco knew is what triggered Bates’ depression: When he was in his 20s, his first wife drowned their 22-day-old baby. She was charged with murder but found not guilty by reason of insanity after psychiatrists diagnosed her as a paranoid schizophrenic.

Bogira told the judge about it after the hearing.

“[T]he judge is immediately sympathetic,” Bogira writes. “It makes Bates’ struggles with drugs easier to understand,” Locallo says. He adds that

had he known about it, he'd have granted the request for probation and treatment a lot quicker."

It's far from an isolated incident.

In another case, Bogira, with the luxury of time, discovered that a 16-year-old girl shot an older Haitian man because he threatened to break off the affair he was having with her. But that wasn't the story she told police — or her own lawyer. She told them the cabbie tried to grope her, so she shot him. Her trial proceeded under those

pretenses. She admitted to the real motive in a prison interview with Bogira afterward.

Leslie McGee's lawyer said she didn't pursue her own suspicion that McGee knew the man because it could indicate a premeditated killing and dampen the prospects of winning before a jury.

"How do I feel about the fact that the truth never comes out in court?" the lawyer, Marijane Placek, asks Bogira later. "The truth never comes out in life."

While Bogira helps set the facts straight, he's also driving toward a larger point.

McGee, Bates and other defendants in the book resorted to crime only after succumbing to drugs. Other woes, such as poverty, mental illness, physical abuse, disintegrated families and joblessness, only make their plight worse.

Yet the courts can't or won't step back to address those problems. In fact, he argues, they often make things worse. In his view, tough drug laws and equally tough stances by police, prosecutors and judges handling those cases is the root of all sorts of evil in the justice system.

Illinois laws made possession of "sneeze and it's gone" amounts of drugs a graver offense than domestic battery or drunk driving. Many prisoners who ask for treatment never see it; others don't qualify because their offenses are too serious. And judges faced with a deluge of drug cases are more focused on



Author Steve Bogira spent a year monitoring proceedings in one criminal courtroom at 26th and California, the main felony courthouse in Cook County.

clearing them off the docket than hearing the details of all the minor cases.

"In the drug war of the 1950s and the present one, the courthouse has played its standard enabling role. In both instances, court officials developed strategies to process the flood of drug defendants at an amphetamine pace, allowing the wars to march onward without pause or thought," Bogira writes.

He refers to a Cook County program instituted in the late 1980s to add night courts handling exclusively drug cases. The most efficient judges handled the calls, and lawyers speeded cases along with plea bargains. "The drug courts are a prime example of how crime magically swells to fill the criminal courts' capacity to handle it," Bogira argues.

"Before the night courts opened, police officers who found only a user amount of drugs on a person often let him go with a gruff warning, knowing that the preliminary hearing judges at 26th Street were tossing out petty cases because the trial court dockets were overwhelmed," he writes.

"The drug courts made this triage unnecessary: since there now were special courtrooms in which to process drug cases, officers, in turn, knowing

the petty cases wouldn't automatically be rejected, began arresting more of the addicts they caught with a single rock or packet of heroin."

Soon, special police task forces focused on drug enforcement. The jail's population skyrocketed. The drug courts themselves had too many cases, and regular trial judges started taking on the workload.

And that meant people like Larry Bates were going to jail more often. Bates was busted for selling drugs to pay for his own habit.

Bogira repeatedly points out the ironies that result.

One morning Bates shows up in court, as scheduled, to turn himself in. That day he watched Locallo bar prosecutors from using as evidence more than one ton of marijuana (989,733 grams) that police seized from four suspects. Earlier in the day, Locallo continued a case involving two men charged with dealing 1,163 grams of cocaine — the 33rd time the case had been continued.

"Bates is waiting nervously in the gallery while Locallo dispenses with these other defendants," the author points out. "His case involved 0.4 grams of cocaine."

By the end of the day, Bates is the only one of those defendants in jail.

Bogira's insights are not entirely novel. Indeed, he cites numerous reports, some more than a century old, highlighting the same issues. And his book, reportedly, is popular among the lawyers and

judges at the courthouse, even those who disagree with his conclusions.

So why aren't the problems addressed? Bogira's book offers some clues but doesn't explore them at length.

First of all, it seems all of the major actors in the courtroom have incentives



Circuit Judge Daniel Locallo

Prosecutors often push for harsher punishment, but they also want to burnish their resumes with high conviction rates. Defense attorneys often take a light sentence or a plea for a lower charge rather than risk an extra-long term for their clients.

to perform well within that system. They either don't have the power or the motivation to disrupt it, even if they want to.

Prosecutors often push for harsher punishment, but they also want to burnish their resumes with high conviction rates. Defense attorneys often take a light sentence or a plea for a lower charge rather than risk an extra-long term for their clients. And both sides need to take care of things quickly to avoid getting crushed by their caseloads.

Locallo also has reason to make deals, even if it means dangling low sentences in front of defendants to get them to plead.

The judge, who is open about his political ambitions, knows that racking up a high number of "dispos" is one way to earn respect among his peers. The tireless judge also circulated updates on DUI and death penalty law to fellow judges, at least in part to earn a name for himself. He's friendly to reporters and enjoys the spotlight.

In 1998, Locallo presided over the trial of Frank Caruso, a white high school senior, for the beating of Lenard Clark, a black boy in eighth grade. Caruso and his two co-defendants supposedly beat Clark because they didn't like blacks being in Bridgeport. Locallo relished the opportunity. "I subscribe to the philosophy that any

publicity is good publicity," the judge told Bogira.

But by the author's own account, Locallo has a deep-seated sense of justice, too. The judge once choked up talking to Bogira at a restaurant about a scene from the movie *To Kill a Mockingbird*. In the scene, Gregory Peck, playing Atticus Finch, is walking out of the courtroom and the blacks in the audience stand up.

"Here Locallo's eyes flooded and his face reddened. A hand flew to his brow to shield his eyes. His head shook. A half minute passed before he regained his composure," Bogira says. The author asked Locallo why the scene was so moving.

"I just thought it was so great — here's the community standing up out of great respect for someone who fought for them," Locallo replied.

"That's the thing you have to do — stand by what you believe in. And that's the only way you'll get respect, is if you don't compromise your beliefs. It was sad that the judge in *To Kill a Mockingbird* couldn't see the injustices there. Atticus Finch saw the injustices."

Clearly, though, Bogira sees injustice at the Cook County criminal courts. In fact, he says it's one of the reasons why he undertook the project. The book "is about how justice miscarries every day, by doing precisely what we ask it to do."

Under that theory, when voters elect politicians who promise to get tough on crime, approve bonds to build bigger jails and punish officials for being too lenient, they're telling court workers how to do their jobs.

That's true, but Bogira's approach has limits. Nobody wanted to execute an innocent man. Yet most of those involved in Porter's case were doing just what we, as voters, asked them to do. Until Porter's case and others like it, most citizens probably knew very little about the safeguards in the death penalty system and whether they were adequate.

And if drug laws or overcrowded courts are devastating communities, does that mean the public wants it that way? Especially voters who don't often visit 26th and California or who don't know people caught up in the justice system?

As it is, the public sends mixed signals

to its elected officials about what it wants from the criminal justice system. On one hand, officials who want to ratchet up penalties for methamphetamine use find eager audiences backing them. But politicians who stress rehabilitation and judges creating holistic "drug courts" earn plaudits by newspaper editorial boards and civic groups, too.

In the seven years since the events in Bogira's book, Gov. Rod Blagojevich has stressed drug rehabilitation in the prison system and devoted an entire prison to that goal. He's enjoyed success in pushing down recidivism rates through that and other programs. Perhaps average Illinoisans don't know much about the changes, but Blagojevich made it an issue in his 2002 campaign and hasn't suffered because of it yet.

Still, Bogira points out, Cook County keeps sending more inmates to prison despite drops in violent crime. Solving the problems Bogira cites in his account will likely take outside pressure. *Courtroom 302* may very well apply some of that pressure.

But the task also will require leadership from those who know the system best, especially those who run it. An entire cast of unlikely characters overhauled the state's death penalty after Porter won his freedom. The stars included Supreme Court justices and seasoned criminal trial judges, a former prosecutor in the House and a beleaguered Republican governor. They slogged through a morass of legal, political and practical problems to find much-needed improvements.

Many of those sweeping changes proved stubbornly difficult to enact. By the time lawmakers approved them in 2003, Gov. George Ryan, Rep. Jim Durkin, the Westchester Republican who chaired a prosecutorial misconduct panel, and five of the seven Supreme Court justices who started the court's own reforms no longer held public office.

The best hope for Bogira's cause is that similarly driven leaders will identify the situation as a crisis and explain it, as Bogira does, in terms of the lives at stake. □

Daniel C. Vock, a reporter for Stateline.org, is the former Statehouse bureau chief for the Chicago Daily Law Bulletin.

CUB chief to head ICC

Martin Cohen, a longtime consumer advocate, is the new executive director of the Illinois Commerce Commission. He replaces **Edward Hurley**, Gov. Rod Blagojevich's previous appointment, as head of the agency that regulates Illinois' utility companies.

Cohen's appointment is subject to Senate confirmation.

For 12 years, he chaired the Citizens' Utility Board, the statewide watchdog organization created to represent residential and small-business utility customers. Cohen may be a more politically appealing choice for a governor who is expected to run for re-election next year.

Hurley resigned from an ICC term that wasn't due to expire until 2009 to take a new energy-related position Blagojevich designed. He chaired the commission as it drew recent scrutiny.

A 1997 energy deregulation law expires next year. Lawmakers expected deregulation to provide consumers with choice in electricity providers, but that has not occurred. Now major providers Commonwealth Edison and Ameren have sought permission from the ICC to buy electricity from suppliers at rates subject to the open market. The companies have acknowledged such a move would likely result in rate increases.

Attorney General Lisa Madigan sued the ICC in September to prevent the so-called reverse auction process and the governor has urged the ICC to oppose the practice. Madigan's office also criticized Hurley for lunching with representatives of Peoples Energy while the company had business before the ICC. Hurley later paid for the lunch.

In the meantime, CUB credits Cohen with helping to block passage of a proposed SBC deregulation plan earlier this year, as well as successfully promoting the 1997 deregulation law, which it estimates saved utilities' customers more than \$5 billion.

David Kolata, formerly CUB's director of policy and governmental affairs, replaced Cohen as the organization's executive director.

"It's a first in Illinois history that a strong consumer advocate like Marty Cohen, a member of the Citizens' Utility Board, will not only be appointed to the board but actually become its chairman," Blagojevich told reporters. "I think this is good on both counts for consumers, and I'm very excited about these moves."

Blagojevich, who named Hurley to the new position of special director of emergency energy assistance, also told reporters he didn't take that action because he viewed Hurley as a political liability. When asked whether he removed Hurley and fellow commissioner **Erin O'Connell-Diaz** because they were viewed as being too cozy with utility companies, Blagojevich said, "I'm not going to get into specifics. Mr. Hurley has been on the ICC a long time. He understands a lot of the issues and, because of his knowledge, he seemed to be a perfect fit to head up an effort to provide heating assistance to those that otherwise wouldn't find a warm place to be in the wintertime."

The governor noted that rising natural gas prices are expected to increase heating bills this winter by 40 percent.

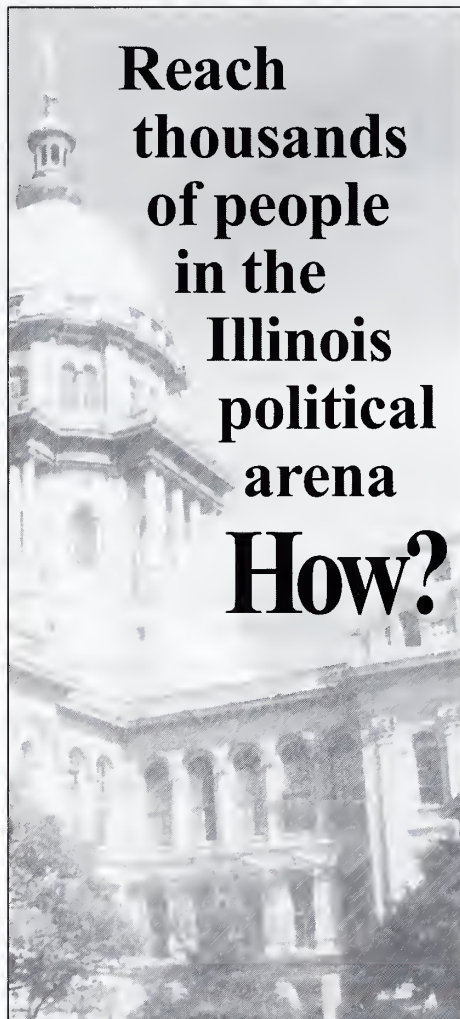


Martin Cohen



David Kolata

Reach thousands of people in the Illinois political arena How?



ADVERTISE In the 2006 Roster of State Government Officials

One of Illinois' most comprehensive directories of state legislators, constitutional officers, state agencies and their key staff members. Addresses, phone numbers, e-mail addresses and Web sites! Plus, photos of all legislators!

Illinois Issues (217)206-6084

<http://www.illinoisissues@uis.edu>

Honors and awards

Illinoisans **Steven Goodman, Todd Martinez, Kevin Murphy and Olufunmilayo Falusi Olopade** are among the 25 2005 MacArthur Fellows, a distinction that carries a \$500,000 prize for each.

Goodman is a biologist at the Field Museum of Natural History. Martinez is a chemist at the University of Illinois at Urbana-Champaign and Olopade and Murphy are professors at the University of Chicago.

The fellowships from The John D. and Catherine T. MacArthur Foundation, a Chicago-based philanthropy, are commonly referred to as genius grants. Recipients of the no-strings-attached cash prizes are chosen for creativity, originality and potential.

Goodman, a conservation biologist, spends much of his time in Madagascar, where he documents endangered plants and animals. According to the foundation, Goodman, who has been on the staff of the zoology department of the Field since 1989, is a "tenacious researcher" who has endured extreme conditions to "identify dozens of new bird, insect and mammal species." The co-editor and lead author of *The Natural History of Madagascar*, Goodman also was recently honored by scientists who named a new species of lemur, *Microcebus lehilahytsara*, for him. In Malagasy, the language of Madagascar, "*lehilahytsara*" means "good man."

Martinez, a theoretical chemist at UIUC since 1996, studies what propels atoms and how molecules' energies change as time evolves. He looks for insights into the physical basis for chemical reactions by computing molecules' quantum mechanical properties.

Murphy, the George J. Stigler Distinguished Service Professor of Economics in the Graduate School of Business at the University of Chicago, was honored for his work demonstrating connections between economic forces and social issues. He has, for instance, pointed to trends such as wage inequalities as being reflective of changes in labor demand. Murphy, who has been a faculty member in the business school since he received his doctorate there in 1986, was the 1997 recipient of a medal honoring the most outstanding American economist under the age of 40.

Olopade, a professor of medicine and human genetics and director of the Cancer Risk Clinic at the University of Chicago Hospitals, was honored for her research into the molecular genetics of breast cancer among African and African-American women.

Women of African ancestry are at greater risk for a particularly aggressive kind of breast cancer. Olopade, who has been a faculty member at the University of Chicago since 1991, found that gene patterns in breast cancer in African women vary greatly from that in non-Africans. She also has sought to improve methods for predicting and preventing breast cancer.



Todd Martinez



Kevin Murphy



Steven Goodman



Olufunmilayo Falusi Olopade

For updated news see the *Illinois Issues* Web site at <http://illinoisissues.uis.edu>

Lincoln museum director tapped for 9/11 site panel

Richard Norton Smith, director of the Abraham Lincoln Presidential Library and Museum, has signed on to the board of directors of The International Freedom Center.

However, he and other notables appointed to govern the museum proposed as a memorial at the 9/11 World Trade Center bombing site, were on hold as of mid-October because of wrangling between Manhattanites and New York Gov. George Pataki. He recently bumped the peace center from Ground Zero, though the Lower Manhattan Development Corporation had called for the museum in memorial plans for the site.

Others lined up for the board of the potentially defunct museum project include **Sara Bloomfield**, director of the U.S. Holocaust Memorial Museum; **Natan Sharansky**, former Soviet dissident and political prisoner; and *Newsweek* editor **Fareed Zakaria**.

Fire marshal resigns

J.T. Somer resigned last month from the position of Illinois Fire Marshal, citing personal issues. Somer, who had been the state's fire marshal since April 2004, had previously been chief of the Salem Fire Protection District.

New guardian

Mary Milano, associate director of the Illinois Criminal Justice Information Authority, is the new executive director of the Illinois Guardianship and Advocacy Commission. The Chicago resident also is an Episcopal priest and former chairwoman of the theology department at St. Mary-of-the-Woods College in Indiana. The commission was created to protect the rights of people with disabilities.

Governor's choice

Patrick Welch, a former state senator, is Gov. Rod Blagojevich's pick to be executive director of the State Universities Retirement System, replacing **James Hacking**, who took a similar post in Arizona. The board in mid-October was still seeking candidates.

Welch, a Peru Democrat, lost his re-election bid to the Senate last year after more than two decades in the legislature. He was chair of the Appropriations Committee. Blagojevich recently named Welch deputy director of the Illinois Department of Revenue. He would have to give up that position to take the new one.

"I think Pat is capable, qualified, very smart and very honest. What's wrong with that?" Blagojevich told reporters who asked him about the relevancy of Welch's experience.

State board staff shifts

Rebecca Watts, former spokeswoman for the Illinois State Board of Education, is now chief of staff at that agency. She was replaced in her communications role by **Meta Minton**, who is the former editor of the *Southern Illinoisan* newspaper. As chief of staff, Watts replaces **Eamon Kelly**, who left the agency to further his education.

Pate Philip Park

James "Pate" Philip, former state Senate president, will continue to have a namesake state park under an agreement between the state and the Forest Preserve District of DuPage County. The former Tri-County State Park near Bartlett, which is in DuPage, Kane and Cook counties, had been threatened by state budget cuts.

Sox win series

The **Chicago White Sox** became American League Champions for the first time since 1959. It's been even longer since South Siders triumphed in a World Series. That hasn't happened since 1917.

U.S. POSTAL SERVICE
STATEMENT OF OWNERSHIP,
MANAGEMENT,
AND CIRCULATION
Required by 39 U.S.C. 3685

1. Publication Title: *Illinois Issues*. 2. Publication No.: 000-549. 3. Filing Date: 9-20-05. 4. Issue Frequency: Monthly, except July & August are combined. 5. No. of Issues Published Annually: 11. 6. Annual Subscription Price: \$39.95 7. Complete Mailing Address of Known Office of Publication: University of Illinois at Springfield, One University Plaza, MS HRB 10, Springfield, Sangamon County, Illinois 62703-5407. 8. Complete Mailing Address of Headquarters or General Business Office of Publisher: Same as item 7. 9. Full Names and Complete Mailing Addresses of Publisher: None. Editor: Peggy Boyer Long, University of Illinois at Springfield, One University Plaza, MS HRB 10, Springfield, Illinois 62703-5407. Managing Editor: Maureen Foertsch McKinney, University of Illinois at Springfield, One University Plaza, MS HRB 10, Springfield, Illinois 62703-5407. 10. Owner: University of Illinois at Springfield, One University Plaza, Springfield, Illinois 62703-5407. 11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages or Other Securities: None. 12. Tax Status (*For completion by nonprofit organizations authorized to mail at nonprofit rates*): The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes: Has Not Changed During Preceding 12 Months. 13. Publication Title: *Illinois Issues*. 14. Issue Date for Circulation Data Below: September 2005. 15. Extent and Nature of Circulation, Average No. Copies Each Issue During Preceding 12 Months: a. Total No. Copies (*Net Press Run*): 4,455. b. Paid and/or Requested Circulation: (1) Paid/Requested Outside-County Mail Subscriptions Stated on Form 3541 (*Include advertiser's proof and exchange copies*): 2,016. (2) Paid In-County Subscriptions (*Include advertiser's proof and exchange copies*): 280. (3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Paid Distribution: 34. (4) Other Classes Mailed Through the USPS: 84. c. Total Paid and/or Requested Circulation: 2,414. d. Free Distribution by Mail (*Samples, complimentary, and other free*) (1) Outside-County as Stated on Form 3541: 214. (2) In-County as Stated on Form 3541: 20. (3) Other Classes Mailed Through the USPS: 182. e. Free Distribution Outside the Mail (*Carriers or other means*): 494. f. Total Free Distribution: 910. g. Total Distribution: 3,325. h. Copies not Distributed: 1,130. i. Total: 4,455. j. Percent Paid and/or Requested Circulation: 72.62%. No. Copies of Single Issues Published Nearest to Filing Date: a. 4,000. b. (1) 1,995. (2) 276. (3) 79. (4) 53. (c) 2,403. d. (1) 252. (2) 11. (3) 118. e. 560. f. 941. g. 3,344. h. 656. i. 4,000. j. 71.86%. 16. Publication of Statement of Ownership: Will be printed in the November 2005 issue of this publication. 17. I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including multiple damages and civil penalties). *Charlene R. Lambert*, Circulation Director, 9-20-05.



Write us

Your comments are welcome.
Please keep them brief (250 words).
We reserve the right to excerpt them.

Letters to the Editor
Illinois Issues
University of Illinois at Springfield
Springfield, IL 62794-9243
e-mail address on Internet:
boyer-long.peggy@uis.edu

And visit Illinois Issues online by going to:
<http://illinoisissues.uis.edu>

TRI STATES PUBLIC RADIO

WIUM 91.3 & WIUW 89.5

Listen online at www.tristatesradio.com
NEWS, INFORMATION, & ENTERTAINMENT FROM

npr
NATIONAL PUBLIC
RADIO

PRI
PUBLIC RADIO
INTERNATIONAL

GLRC
GREAT LAKES RADIO
CONSORTIUM

TRI STATES
PUBLIC RADIO
WIUM 91.3 & WIUW 89.5

TRI STATES PUBLIC RADIO
WIUM 91.3/WIUW 89.5

News Department

Phone: 309/298-1873 Fax: 309/298-2133 E-mail: rg-egger@wiu.edu

Public Radio Stations

WBEZ FM
Chicago

WCBU FM
Peoria

WDCB FM
Glen Ellyn

WGLT FM
Normal

WILL AM & FM
Urbana, Champaign

WIUM/WIUW FM
Macomb, Warsaw

WNIJ FM
DeKalb, Rockford
Sterling, LaSalle, Freeport

WNIU FM
Rockford, DeKalb

WSIE FM
Edwardsville

WUIS/WIPA FM
Springfield, Pittsfield

Public TV Stations

WEIU
Charleston

WILL
Urbana, Champaign

WSEC/WQEC/WMEC
Springfield, Jacksonville,
Quincy, Macomb

WQPT
Moline

WSIU
Carbondale

WTVP
Peoria

WUSI
Olney

WYCC
Chicago



Harness the power of public
broadcasting across Illinois!

Chicago to Carbondale
Champaign to Quincy

Tap into public radio and television stations around the state and
make your marketing dollars work for you with a single phone
call to PBCi.

(217) 333-9394 for Les Schulte or

(309) 438-2257 for Kathryn Carter

website: www.PBCiOnline.org

Charles N. Wheeler III



Is the governor scoring political points? Or are his intentions aboveboard?

by Charles N. Wheeler III

He's trying to score political points for next year's gubernatorial election. He's hoping to draw voters' attention away from ongoing federal investigations into possible ethical wrongdoing in his administration. He's looking to impress Beltway pundits to stoke his national aspirations.

Detractors found no end of ulterior motives in Gov. Rod Blagojevich's ambitious plan to provide health insurance for all Illinois children, unveiled last month and ticketed for legislative approval in the fall session now under way.

For his part, the governor urged the critics to be less angry and less cynical.

"Whatever happened to a sense of idealism and embracing an idea that will help people and, in this case, children?" he asked.

Perhaps the naysayers are correct: perhaps the governor's intentions are completely aboveboard. Either way — and the truth most likely lies somewhere in between — ensuring access to affordable, comprehensive health care for all youngsters is surely a worthwhile goal.

To achieve that objective, under the Blagojevich plan — dubbed All Kids — starting next July 1, the state would offer health insurance for more than 125,000 children whose families earn too much to qualify for existing state-subsidized coverage but too little to afford private insurance. Currently, families earning up to 200 percent of the federal poverty

Either way — and the truth most likely lies somewhere in between — ensuring access to affordable, comprehensive health care for all youngsters is surely a worthwhile goal.

level — for example, about \$38,700 annually for a family of four — are eligible for state insurance.

All Kids would cover children in families with earnings above that ceiling. Parents would have to pay monthly premiums based on income level, as well as co-payments for doctors' visits and other medical services, but the amounts should be less than under private insurance.

To pay for the program's projected \$45 million first-year cost, Blagojevich would use most of the projected \$56 million that would be saved by shifting the 1.6 million people who now have state-supported, fee-for-service health care — along with the new All Kids participants — into a mandatory managed care program.

Unveiling the plan, the governor noted that Senate President Emil Jones and House Speaker Michael Madigan had signed on as lead sponsors, about as

gold-plated a guarantee of passage as a bill could get. To further All Kids' flight through the truncated fall session, its authors chose to leave some of the program's finer details to be worked out through rule-making by the agency overseeing the program, the Department of Healthcare and Family Services, the new name for Public Aid.

Done deal or no, implementing the program poses some significant challenges, especially given the state's previous difficulty making managed care work.

More than a decade ago, former Gov. Jim Edgar proposed shifting more than one million Medicaid clients into an HMO-type system as a way to provide better health care for poor people and save money for the state. Under his plan, the state would have paid HMOs and prepaid health plans a flat rate per person to provide medical care, instead of paying doctors and other providers directly.

But federal regulators took 22 months to approve the proposal, citing a host of concerns about its impact on the poor. Providers weren't interested in signing on at the rates the HMOs wanted to pay, and the HMOs couldn't enroll enough folks to make a decent profit. In the end, Edgar's managed care effort faded away, with only about a 10th of Medicaid clients — all volunteers — enrolled in HMO-type care.

The current administration sees basic differences, though, between All Kids

and the Edgar plan. For starters, officials say they can implement the new program without first getting federal approval, under revamped policies in Washington designed to give states greater flexibility.

Moreover, rather than paying a flat fee to HMOs, which then would contract with medical providers for services, Blagojevich hopes to set up a case management network, in which primary care physicians would oversee children's care, for example, ensuring they receive preventive measures such as immunizations and avoiding unnecessary emergency room visits.

The network doctors would be paid for managing the care but would assume no financial risk because the state would continue to pay for the actual treatment, a feature designed to make the management role more attractive.

Even granting such differences, though, major concerns persist, perhaps none so important as ensuring that enough doctors, dentists, pharmacists and other providers are willing to participate in the program to guarantee that the additional children covered will have access to care

As the governor suggested, who can contest the premise that every child in Illinois should have access to health care?

in fact, and not just on paper.

Indeed, Republican lawmakers who long have pushed for managed care argue that any savings from the shift should be used to increase the rates the state now pays providers, rather than in expanding coverage to more children. They note, correctly, that the state's reimbursement rates for Medicaid and KidCare clients are often less than providers' costs, resulting in higher bills for other patients.

Moreover, the state is chronically behind in paying providers, to the tune of more than \$1.5 billion as fall began.

The state's low-pay, slow-pay reputation provides little incentive for doctors and other health care professionals to accept Medicaid patients.

A federal court ruling last year, however, may help improve provider recruitment for the state-paid health plans. In the decision, a judge in Chicago held that the state Medicaid program violated federal law by not affording poor children the same access to medical services as children with private insurance. A major reason, the judge concluded, was that state Medicaid reimbursements were too low to entice doctors, dentists and other providers to treat clients. As a result, higher rates are in the offing.

As the governor suggested, who can contest the premise that every child in Illinois should have access to health care? The task ahead for legislators and administration officials is to turn the lofty rhetoric into concrete results for the state's youngsters. □

Charles N. Wheeler III is director of the Public Affairs Reporting program at the University of Illinois at Springfield.

NEWS YOU CAN USE!

Illinois has more than 600 newspapers & each week thousands of news stories run on every topic imaginable.

But news today is more than just newspapers. That's why the Illinois Press Clipping Bureau account is tailored to your precise requests while still providing the most affordable way for you to know what appears in all Illinois newspapers and on TV newscasts in several major markets - all for just \$65 a month & 65¢ a clip!

WHAT WE SEARCH

- International, National, State & Regional Press.
- TV News Tapes/Transcripts
- Online Services
- Financial Data & Stories
- Historic Documents
- Events of Note
- Annual Reports
- Economic Trends

WHAT WE DELIVER

- Breaking News
- Legislation & Regulations
- Industry News & Trends
- Competitive News
- News Businesses, Products & Services
- Candidates & Campaigns
- Publicity Efforts
- Mention of Names & Groups

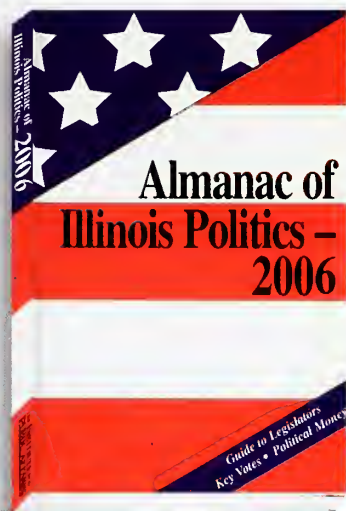
WHAT WE OFFER

- Traditional Newspaper Stories & Photos
- TV News Mentions
- TV Tapes & Transcripts
- Emailed Clips
- Online Access
- Archive retrieval
- Daily, Weekly or Monthly Delivery

**Contact Shari Mulvany at (217) 241-1300 • smulvany@il-press.com
ELECTRONIC MAIL DELIVERY IS AVAILABLE!**



Almanac of Illinois Politics – 2006

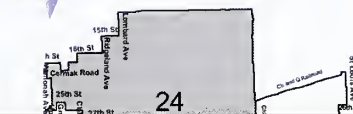


*The #1 guide to
Illinois government*

Since its first edition in 1990, the biennial
Almanac of Illinois Politics has been the
resource for information on the key
players in Illinois government.

- U.S. Senators, Congressmen, State
Senators and State Representatives
- Phone numbers, fax numbers,

Available
January
2006



Almanac of Illinois Politics – 2006



Yes, I want to order today

Almanac of Illinois Politics-2006

_____ copies x \$45.00
plus postage and handling
(\$3.00 first book, \$.50 for each additional book) + _____

TOTAL _____

Ship to:

Name _____

Address _____

City _____ State _____ Zip _____

Bill to:

Name _____

Address _____

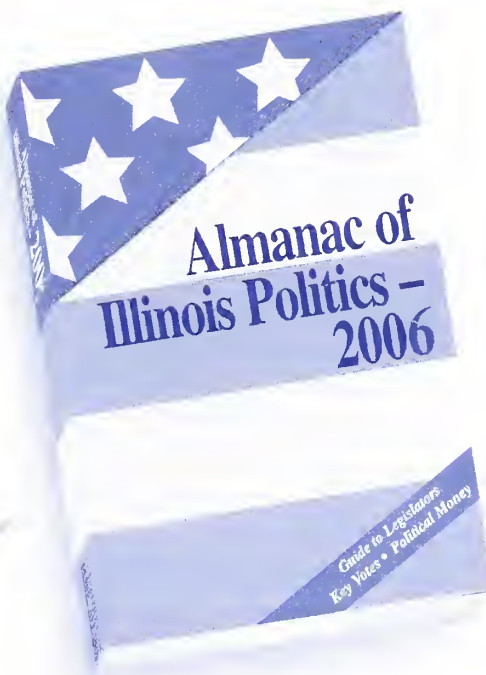
City _____ State _____ Zip _____

Daytime Phone _____

Credit card ☐ VISA ☐ Mastercard

Acct. No. _____ Exp. Date _____

Signature _____



10-05-00662-42441

(\$3.00 first book, \$.50 for each additional book)

Minority Leader, Illinois Senate

Please refer to the tear-out order form inside this issue!

and the Edgar plan. For starters, officials say they can implement the new program without first getting federal approval, under revamped policies in Washington designed to give states greater flexibility.

Moreover, rather than paying a flat fee to HMOs, which then would contract with medical providers for services, Blagojevich hopes to set up a case management network, in which primary care physicians would oversee children's care, for example, ensuring they receive preventive measures such as immunizations and avoiding unnecessary emergency room visits.

The network doctors would be paid for managing the care but would assume no financial risk because the state would continue to pay for the actual treatment, a feature designed to make the management role more attractive.

Even granting such differences, though, major concerns persist, perhaps none so important as ensuring that enough doctors, dentists, pharmacists and other

***As the governor suggested,
who can contest the
premise that every child
in Illinois should have
access to health care?***

in fact, and not just on paper.

Indeed, Republican lawmakers who long have pushed for managed care argue that any savings from the shift should be used to increase the rates the state now pays providers, rather than in expanding coverage to more children. They note, correctly, that the state's reimbursement rates for Medicaid and KidCare clients are often less than providers' costs, resulting in higher bills for other patients

The state's low-pay, slow-pay reputation provides little incentive for doctors and other health care professionals to accept Medicaid patients.

A federal court ruling last year, however, may help improve provider recruitment for the state-paid health plans. In the decision, a judge in Chicago held that the state Medicaid program violated federal law by not affording poor children the same access to medical services as children with private insurance. A major reason, the judge concluded, was that state Medicaid reimbursements were too low to entice doctors, dentists and other providers to treat clients. As a result, higher rates are in the offing.

As the governor suggested, who can contest the premise that every child in Illinois should have access to health care? The task ahead for legislators and administration officials is to turn the lofty rhetoric into concrete results for the state's youngsters. □



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL

FIRST CLASS MAIL PERMIT NO. 1901 SPRINGFIELD, IL

POSTAGE WILL BE PAID BY ADDRESSEE

Center Publications

UNIVERSITY OF ILLINOIS AT SPRINGFIELD

PO Box 19243

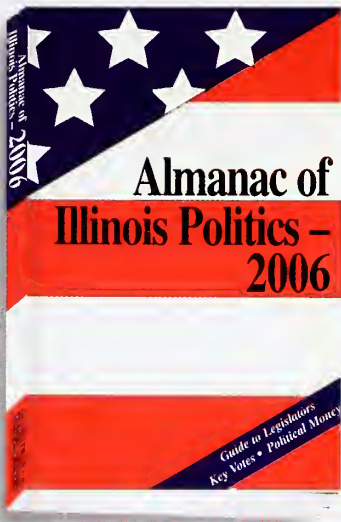
Springfield IL 62794-9980



Contact Shari Mulvany at (217) 241-1300 • smulvany@il-press.com
ELECTRONIC MAIL DELIVERY IS AVAILABLE!



Almanac of Illinois Politics – 2006

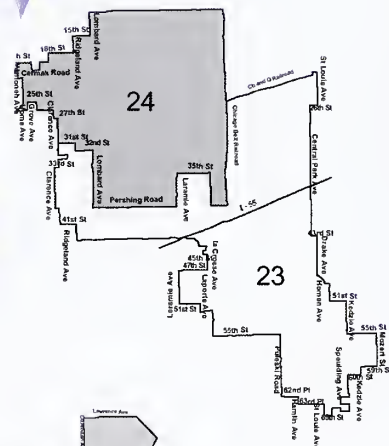
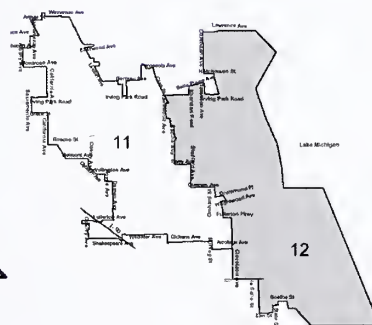
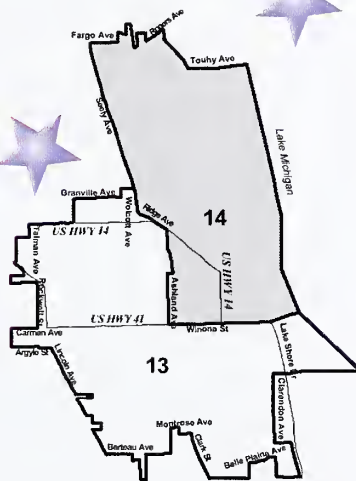
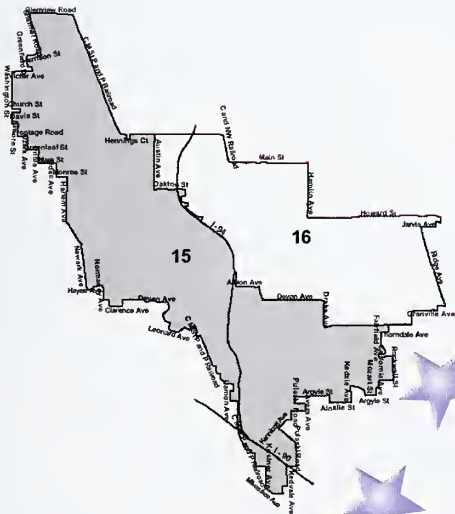


The #1 guide to Illinois government

Since its first edition in 1990, the biennial *Almanac of Illinois Politics* has been the resource for information on the key players in Illinois government.

- U.S. Senators, Congressmen, State Senators and State Representatives
- Phone numbers, fax numbers, e-mail addresses and their web sites
- Voting records on the top issues of 2004
- Top contributors, legislators and their opponents

Available
January
2006



It's all in the *Almanac of Illinois Politics — 2006*.

"A very worthwhile reference for everyone who needs a ready information source on state government."

— Michael J. Madigan
Speaker of the Illinois House

"I have always found the *Almanac of Illinois Politics* to be very helpful. It is the ideal informational resource on state government."

— Frank Watson
Minority Leader, Illinois Senate

\$45⁰⁰

plus postage and handling

(\$3.00 first book, \$.50 for each additional book)

Please refer to the tear-out order form inside this issue!

Congratulations to these **LAWYERS**, recommended by their peers in a statewide survey, to be among the **TOP LAWYERS** in Illinois.



Charles F. Helsten	Hinshaw & Culbertson LLP	Rockford	(815) 490-4906	Gov't/Muni/Lobby
Thomas J. Lester	Hinshaw & Culbertson LLP	Rockford	(815) 490-4900	Gov't/Muni/Lobby; Pub Finance; School
Stephen E. Balogh	Williams & McCarthy	Rockford	(815) 987-8900	Gov't/Muni/Lobby
Steven M. Kowal	Bell Boyd & Lloyd LLC	Chicago	(312) 807-4430	Fed Reg
Douglas J. Antonio	Duane Morris LLP	Chicago	(312) 499-6772	Pub Finance
Michael J. Silverman	Duane Morris LLP	Chicago	(312) 499-6707	Telecom
E. Glenn Rippie	Foley & Lardner LLP	Chicago	(312) 558-4214	Fed Reg; Gov't/Muni/Lobby; Pub Utilities
James C. Franczek, Jr.	Franczek Sullivan PC	Chicago	(312) 786-6110	School
Roger H. Bickel	Freeborn & Peters LLP	Chicago	(312) 360-6377	Gov't/Muni/Lobby
Anita J. Ponder	Gardner Carton & Douglas LLP	Chicago	(312) 569-1153	Gov't/Muni/Lobby
Jesse H. Ruiz	Gardner Carton & Douglas LLP	Chicago	(312) 569-1135	Gov't/Muni/Lobby
Richard M. Stock	Gardner Carton & Douglas LLP	Chicago	(312) 569-1398	Fed Reg; Gov't/Muni/Lobby
Matthew J. Piers	Gessler Hughes Socol Piers, et al.	Chicago	(312) 604-2606	Gov't/Muni/Lobby
Daniel L. Kraus	Greenberg Traurig LLP	Chicago	(312) 476-5004	Pub Finance
Mark J. McCombs	Greenberg Traurig LLP	Chicago	(312) 476-5026	Gov't/Muni/Lobby; Pub Finance
Leo J. Athas	Hinshaw & Culbertson LLP	Chicago	(312) 704-3000	School
Anthony Ficarella	Hinshaw & Culbertson LLP	Lisle	(630) 505-0010	School
Allyn J. Franke	Hinshaw & Culbertson LLP	Waukegan	(847) 249-0300	School
Thomas A. Morris, Jr.	Hinshaw & Culbertson LLP	Waukegan	(847) 249-0300	School
Scott E. Nemanich	Hinshaw & Culbertson LLP	Joliet	(815) 726-5910	School
Steven M. Puiszis	Hinshaw & Culbertson LLP	Chicago	(312) 704-3243	Gov't/Muni/Lobby
Robert T. Shannon	Hinshaw & Culbertson LLP	Chicago	(312) 704-3901	Gov't/Muni/Lobby
Mark E. Burkland	Holland & Knight LLP	Chicago	(312) 578-6557	Gov't/Muni/Lobby
James R. Carr	Holland & Knight LLP	Chicago	(312) 578-6622	Gov't/Muni/Lobby
Steven M. Elrod	Holland & Knight LLP	Chicago	(312) 578-6565	Gov't/Muni/Lobby
Victor P. Filippini, Jr.	Holland & Knight LLP	Chicago	(312) 578-6560	Gov't/Muni/Lobby
Peter M. Friedman	Holland & Knight LLP	Chicago	(312) 578-6566	Gov't/Muni/Lobby; Pub Finance
Jack M. Siegel	Holland & Knight LLP	Chicago	(312) 578-6530	Gov't/Muni/Lobby
Terrence M. Barnicle	Klein Thorpe and Jenkins Ltd	Chicago	(312) 984-6400	Gov't/Muni/Lobby
Thomas P. Bayer	Klein Thorpe and Jenkins Ltd	Chicago	(312) 984-6400	Gov't/Muni/Lobby
Michael J. Duggan	Klein Thorpe and Jenkins Ltd	Chicago	(312) 984-6400	School
Everette M. Hill, Jr.	Klein Thorpe and Jenkins Ltd	Chicago	(312) 984-6400	Gov't/Muni/Lobby
Scott E. Uhler	Klein Thorpe and Jenkins Ltd	Chicago	(312) 984-6400	School
Steven E. Glink	Law Office of Steven Glink	Northbrook	(847) 480-7749	School
Daniel M. Pierce	Law Offices of Rubin & Norris LLC	Chicago	(312) 263-1360	Gov't/Muni/Lobby
Frederick H. Branding	McGuireWoods LLP	Chicago	(312) 849-8166	Fed Reg
Darryl R. Davidson	McGuireWoods LLP	Chicago	(312) 849-8146	Pub Finance
Mark J. McGuire	McGuireWoods LLP	Chicago	(312) 849-3040	Pub Utilities
Michael V. Favia	Michael V Favia Law Office	Chicago	(773) 631-4580	Gov't/Muni/Lobby
Stephen Scott Morrill	Morrill and Associates PC	Chicago	(312) 606-8770	Gov't/Muni/Lobby
Oran F. Whiting	Much Shelist Freed Denenberg, et al.	Chicago	(312) 521-2638	Gov't/Muni/Lobby
Thomas G. Lyons	O'Keefe Lyons & Hynes LLC	Chicago	(312) 621-0400	Gov't/Muni/Lobby
Karl R. Ottosen	Ottosen Trevvarthen Britz Kelly & Cooper	Wheaton	(630) 682-0085	Gov't/Muni/Lobby
Robert W. Trevvarthen	Ottosen Trevvarthen Britz Kelly & Cooper	Wheaton	(630) 682-0085	Gov't/Muni/Lobby; School
Bruce Ackley Bonjour	Perkins Coie LLP	Chicago	(312) 324-8650	Pub Finance
Robert L. Capizzi	Perkins Coie LLP	Chicago	(312) 324-8662	Pub Finance
Scott A. Bremer	Pugh Jones Johnson & Quandt PC	Chicago	(312) 768-7800	Pub Finance
Linzey D. Jones, Jr.	Pugh Jones Johnson & Quandt PC	Chicago	(312) 768-7800	Pub Finance
Stephen H. Pugh	Pugh Jones Johnson & Quandt PC	Chicago	(312) 768-7800	Gov't/Muni/Lobby; Pub Finance
Paul A. Retberg	Querrey & Harrow Ltd	Chicago	(312) 540-7040	Gov't/Muni/Lobby
James R. Carroll	Quinlan & Carroll Ltd	Chicago	(312) 917-8466	Gov't/Muni/Lobby
William R. Quinlan	Quinlan & Carroll Ltd	Chicago	(312) 917-8450	Gov't/Muni/Lobby
David A. Bonoma	Reyes & Bonoma Ltd	Chicago	(312) 332-0055	Gov't/Muni/Lobby
Victor H. Reyes	Reyes & Bonoma Ltd	Chicago	(312) 332-0055	Gov't/Muni/Lobby
Anthony G. Scariano	Scariano Himes and Petrarca	Chicago	(312) 565-3100	School
Mary K. Klimesh	Seyfarth Shaw LLP	Chicago	(312) 346-8000	School
Alvin L. Kruse	Seyfarth Shaw LLP	Chicago	(312) 346-8000	Pub Finance
Paul H. Vishny	Seyfarth Shaw LLP	Chicago	(312) 346-8000	Telecom
Sarah J. Read	Sidley Austin Brown & Wood LLP	Chicago	(312) 853-2171	Pub Utilities
Steven B. Kite	Sonnenschein Nath & Rosenthal LLP	Chicago	(312) 876-8195	Pub Finance
Jeremy D. Margolis	Sonnenschein Nath & Rosenthal LLP	Chicago	(312) 876-3108	Gov't/Muni/Lobby
Michael A. Ficaro	Ungaretti & Harris LLP	Chicago	(312) 977-9200	Gaming/Casino
James S. Montana, Jr.	Vedder Price Kaufman & Kammholz PC	Chicago	(312) 609-7820	Gaming/Casino; Gov't/Muni/Lobby
Deborah H. Bornstein	Williams Montgomery & John Ltd	Chicago	(312) 443-3289	Pub Utilities
Gov. James R. Thompson	Winston & Strawn LLP	Chicago	(312) 558-7400	Gov't/Muni/Lobby
Richard G. Flood	Zukowski Rogers Flood & McArdle	Crystal Lake	(815) 459-2050	Gov't/Muni/Lobby
Timothy W. Kirk	Heyl Royster Voelker & Allen PC	Peoria	(309) 676-0400	Pub Utilities
William C. Wetzel	Livingston Barger Brandt & Schroeder	Bloomington	(309) 828-5281	Pub Utilities
Denise M. Druhot	Brown Hay & Stephens LLP	Springfield	(217) 544-8491	School
John E. Stevens	Freeborn & Peters LLP	Springfield	(217) 535-1060	Gov't/Muni/Lobby
Herman G. Bodewes	Giffin Winning Cohen & Bodewes PC	Springfield	(217) 525-1571	Gov't/Muni/Lobby
D. Bradley Blodgett	Hinshaw & Culbertson LLP	Springfield	(217) 528-7375	Gov't/Muni/Lobby
Edward R. Gower	Hinshaw & Culbertson LLP	Springfield	(217) 528-7375	Gov't/Muni/Lobby
J. William Roberts	Hinshaw & Culbertson LLP	Springfield	(217) 528-7375	Gov't/Muni/Lobby
Charles R. Schmadeke	Hinshaw & Culbertson LLP	Springfield	(217) 528-7375	Gov't/Muni/Lobby
Deanna Seward Mool	Mool Law Firm LLC	Springfield	(217) 523-6665	Gov't/Muni/Lobby
William R. Enlow	Sorling Northrup Hanna, et al.	Springfield	(217) 544-1144	Gov't/Muni/Lobby
James M. Morphew	Sorling Northrup Hanna, et al.	Springfield	(217) 544-1144	Gov't/Muni/Lobby
Zack Stamp	Zack Stamp Ltd	Springfield	(217) 525-0700	Gov't/Muni/Lobby
Thomas E. Kennedy, III	Law Office of Thomas E. Kennedy III	Alton	(618) 474-5326	School
John L. Gilbert	Hinshaw & Culbertson LLP	Belleville	(618) 277-2400	Gov't/Muni/Lobby; School
John S. Rendleman, III	Feirich/Mager/Green/Ryan	Carbondale	(618) 529-3000	Gov't/Muni/Lobby

Key:

Fed Reg = Federal Regulatory Law; Gaming/Casino = Gaming & Casino Law; Gov't/Muni/Lobby = Governmental, Municipal, Lobbying & Administrative Law; Pub Finance = Public Finance Law; Pub Utilities = Public Utilities Law; Gas/Water/Electric; School = School Law; Telecom = Telecommunications Law

This is a partial list. Go to **LeadingLawyers.com** to view profiles of these and hundreds of other Leading Lawyers or call

Find a better lawyer, faster.

(312) 644-7000

A Division of Law Bulletin Publishing Company - est. 1854